

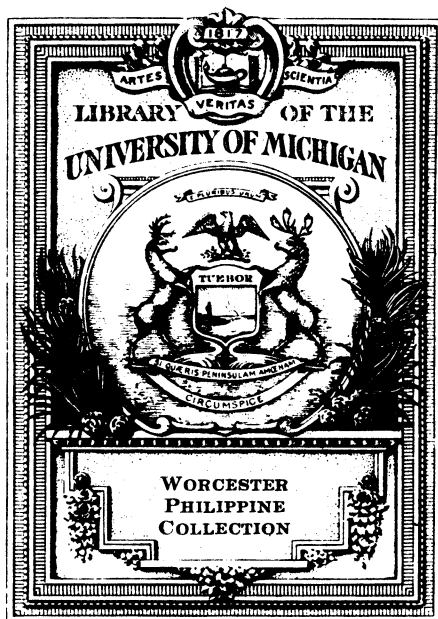
MILITARY  
OPERATIONS  
AND  
CIVIL AFFAIRS  
IN THE  
PHILIPPINE  
ISLANDS

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James E. Worcester





REPORT

OF

WILLIAM C. WHEELER,  
COMMISSIONER

MAJOR-GENERAL E. S. OTIS,  
U. S. VOLUNTEERS,

ON

MILITARY OPERATIONS

AND

CIVIL AFFAIRS

IN THE

PHILIPPINE ISLANDS.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1899.

Philippine Islands. Manila. (1897-1917) (C. C. C. C.)

**ANNUAL REPORT OF MAJ. GEN. E. S. OTIS, U. S. V., COMMANDING  
DEPARTMENT OF THE PACIFIC AND EIGHTH ARMY CORPS,  
MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS.**

HQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
AND OFFICE U. S. MILITARY GOVERNOR IN PHILIPPINE ISLANDS,  
*Manila, P. I., August 31, 1899.*

The ADJUTANT-GENERAL UNITED STATES ARMY,  
*Washington, D. C.*

SIR: I have received instructions from the Major-General Commanding the Army to submit an annual report of the military operations of the troops of this command, also from the War Department to furnish a report of the affairs of this military government. The  
ers connected with each of these subjects are so closely related as to make the rendition of separate and independent reports very difficult without producing in each much which the other must contain. I have, therefore, concluded to embrace in a single narration with comment, as necessary explanation may appear to me to demand, the conditions which have presented themselves, both military, civil, or political, and the means which have been adopted to meet them. In doing this only the general features of the more important events can be touched upon, as an attempt to detail causes, effects, and the action which has been applied by the military authorities would involve a very extended recounting of facts and a lengthy discussion of theories.

The time which I am directed to cover in these reports may properly be divided into two periods—the first extending from June 30, 1898, to February 4, 1899, the date upon which the then rebellious subjects of Spain attacked at Manila, without cause, the forces of the United States, which, under the protocol of August 12, 1898, and likewise the articles of capitulation of the following day, were lawfully in possession of the city, bay, and harbor of Manila. The second period extends from February 4, 1899 (when these open and declared hostilities were inaugurated), to the present date. The events of a portion of the first period, in so far as the concentration of troops at San Francisco and the transportation of those sent out to the Philippines, to and including July 15, 1898, are concerned, together with all action of troops preliminary to, and attendant upon, the capture of Manila on August 13, 1898, and thereafter to the end of that month, have been ably reported by my predecessor, Major-General Merritt. But a brief reference to the preparations made by the Government, as solely affecting the Army, in its efforts to meet existing or anticipated conditions in the Philippines resulting from, or likely to arise in, the war with Spain, is pertinent here in order to present intelligently the services of troops in these islands.

The Philippine problem, so unexpectedly and suddenly thrown upon the Government for solution by the destruction of the Spanish fleet in the harbor of Manila on May 1, 1898, when the concentration of all its troops and military stores was being hastily made on the southern

Atlantic coast, received the prompt attention which its importance demanded. At once the enlistment of volunteers in the Pacific Slope and adjacent States was accelerated and their places of assembling changed to San Francisco. Under War Department instructions to proceed to that point for duty, I arrived there on May 17, where already Major-General Merriam, commanding the Department of California, had placed in camp an infantry regiment and a heavy artillery detachment of California volunteers, an infantry battalion of Oregon troops, and five companies of the Fourteenth United States Infantry. Within the next ten days the Nebraska, Colorado, Minnesota, Wyoming, Idaho, Utah, North Dakota, and Montana volunteers arrived, also the two remaining battalions of the Oregon regiment and a volunteer regiment from Pennsylvania. On May 29 the Eighteenth and Twenty-third United States Infantry and a company of the United States Engineers reported, and during the month of June the volunteer organizations of South Dakota, Iowa, Tennessee, the Astor Battery, of New York, 4 foot batteries of the Third and 2 light batteries of the Sixth U. S. Artillery, and 6 troops of the Fourth Cavalry were placed in camp, also 2 volunteer signal companies and large Hospital Corps detachments. On May 30 General Merritt arrived from New York and relieved me from command of all these so-called expeditionary forces, remaining there until the 29th of the following month, when he departed for the Philippines.

The proper equipment of these troops was attended with great difficulty. Suddenly called to meet an expected emergency in a far distant portion of the world, no preparations had been made to receive them. The supply departments, not anticipating any concentration of forces on the Pacific coast, had made no provisions for furnishing arms, ammunition, clothing, subsistence, or other war material with which an army about to operate 7,000 miles from its base must necessarily be supplied. Indeed, at the time these troops arrived at San Francisco such property, usually kept in moderate quantities on the Pacific coast, had been sent to the East for the army destined to invade Cuba and Porto Rico. The volunteer organizations were supposed to report equipped and uniformed, but a large majority of the arms they presented were worthless, and in some instances entire organizations had to be rearmed. Their clothing had evidently been in use for a long time in State service, was worn out, and many of the men were dressed as civilians. In spite of all of these embarrassments, the celerity with which these troops were equipped and made ready for the field, and with which great quantities of necessary supplies and war materials were placed in San Francisco and loaded on transports, furnishes very satisfactory evidence of the efficiency of the staff departments of the Army. Fortunately, San Francisco is a great market, and much that was needed could be obtained there through contract and purchase. The facilities thus offered were taken advantage of, and assisted very materially in the work of preparation. The shipping on the Pacific coast was found to be very limited, and vessels in anywise suited (even after they were overhauled and repaired) to transport troops to the Tropics were few, and most of them were at the time absent, engaged in foreign or domestic trade. This want was the principal cause of delay in dispatching troops, but the persistent efforts of the War Department, assisted by the army supply officers in San Francisco, accomplished the desired results very quickly, considering the embarrassments with which it had to contend. The time required for these preparations, however, was most advantageously

employed. General officers, as soon as they reported for duty, were placed in charge of brigade organizations and labored assiduously in giving proper instructions to their commands, so that when these troops sailed for the Philippines they could be considered moderately efficient for service.

Upon reporting at San Francisco on May 17, I learned that General Merriam had received orders to ship to Manila Bay the California regiment and a battalion of the Fourteenth U. S. Infantry by a transport that was then being loaded in the harbor with naval stores for Admiral Dewey's squadron. Thereafter being instructed to obtain sufficient transportation to forward also the Oregon regiment, two small transports were secured, and on May 25 the three vessels sailed in company, carrying the troops above mentioned, under the command of Brig. Gen. T. M. Anderson, U. S. V., and entered the harbor of Manila on the 30th day of June. Pursuant to the instructions of General Merritt 4 companies of the Eighteenth and 4 of the Twenty-third U. S. Infantry, a detachment of engineers, the Colorado, Nebraska, Pennsylvania, and Utah Volunteers, and a detachment of the Hospital Corps—all under the command of Brig. Gen. F. V. Greene, U. S. V.—sailed for Manila on June 15. On June 27, under instructions from the same source, 4 companies of the Eighteenth and 4 of the Twenty-third U. S. Infantry, detachments of Engineer and Signal Corps, the Idaho, Minnesota, North Dakota, and Wyoming Volunteers, departed on five transports, and on June 29 General Merritt, in person, accompanied by his staff, sailed on steamer *Newport* for the same destination, having on board 2 foot batteries of the Third U. S. Artillery and the Astor Light Battery. The troops of which these three expeditionary forces were composed numbered 470 officers and 10,437 enlisted men. Subsequently, and between the 15th and 25th days of July, the fourth expedition left San Francisco, transported by five vessels, and made up of 2 batteries of the Third U. S. Artillery, 5 companies of the Fourteenth U. S. Infantry, 6 troops of the Fourth U. S. Cavalry, the Montana and South Dakota Volunteers, with Signal and Hospital Corps detachments, numbering in all, 172 officers and 4,610 enlisted men. Before this last expedition reached Manila that city had capitulated, and the United States troops were in possession. No additional troops were dispatched from the United States until the latter part of October. Then, and in the following month, were sent the Washington, Kansas, Tennessee, and Iowa regiments of volunteers, the Nevada troop of cavalry, the Wyoming Light Artillery, and 2 foot batteries of California troops, numbering, collectively, 186 officers and 4,466 enlisted men. There were no further arrivals during the first of the two periods which it is intended that this report shall cover, and subsequent troop additions will not be mentioned until later.

With the officers of my staff I accompanied the fourth expedition and arrived in the harbor of Manila on August 21, where we first learned of the operations of the 10,000 men who had preceded or accompanied Major-General Merritt, and which had resulted in the surrender of Manila and its occupation by the United States forces on the 13th of that month. Reporting to General Merritt, I was placed in command of the Eighth Army Corps by General Orders, No. 10, Headquarters Department of the Pacific and Eighth Army Corps, of August 23, 1898, which were issued under War Department General Orders, No. 73, of that year. Upon August 29, 1898, in accordance with General Orders, No. 3, Headquarters Department of the Pacific, of that date, I relieved Major-General Merritt of the command of the

Department of the Pacific and as Military Governor of the Philippine Islands. At this time the military situation was as follows:

Under the articles of capitulation, United States occupation was confined to the harbor, city, and bay of Manila. Admiral Dewey, with his fleet, held the bay, also the naval establishment at Cavite, which had been captured in May. The insurgent forces, commanded by General Aguinaldo, entered the city with our troops on August 13, and actively held joint occupation with them over a considerable part of the southern portion of the same, declining to vacate on the plea, first, that they had served as allies with our troops, during the operations which had preceded the taking of the city, and therefore had the right to participate in the victory; and, secondly, that they wished to maintain all advantageous positions secured in order to resist successfully the troops of Spain, should that Government be permitted to resume its former power in the islands. Brigadier-Generals Anderson and MacArthur were exercising immediate command of the troops—the former at Cavite and vicinity, where a small contingent was stationed, and the latter at Manila, where the great majority had been judiciously placed in barracks and other available buildings. General MacArthur, also, as provost-marshal-general, had charge of the police of that city and supervision of about 13,000 prisoners—Spanish and native—who had been surrendered by the Spanish authorities. These had been collected in the walled portion of the city and occupied, for the most part, its churches and convents. Outwardly peace reigned, but the insurgents, disappointed because not permitted to enjoy the spoils of war, in accordance with medieval customs, and to exercise with the United States authorities joint control of municipal affairs, were not friendly disposed and endeavored to obtain their asserted rights and privileges through controversy and negotiations and a stubborn holding of the positions taken by their troops. This manifestation caused General Merritt to cable the authorities at Washington, on August 14, as follows:

Since occupation of town and suburbs the insurgents on outside are pressing demand for joint occupation of the city. Inform me at once how far I shall proceed in enforcing obedience of insurgents in this matter and others that may arise, etc.

To which he received reply—dated August 18—that there must be no joint occupation of the city, bay, and harbor with the insurgents; that they and all others must recognize the military occupation and authority of the United States and the cessation of hostilities proclaimed by the President. Some correspondence between General Merritt and Aguinaldo preceded and followed this dispatch, and I believe also two or three discussions of the subject between the representatives of Aguinaldo and General Merritt's subordinate officers, all of which have been reported. Upon leaving the island, General Merritt's chief of staff turned over to me a communication from General Aguinaldo, and in letter transmitting it said:

Enclosed you will find a letter from General Aguinaldo and a blue print of Manila. The letter was brought by his aid two days ago, and was informed that a reply would be sent within four days. The matter should have immediate attention, as General Merritt has not been able to take it up, owing to his hurried departure. The letters referred to by Aguinaldo, by General Merritt, will be found in the press copy-book at the Department Headquarters and here.

The demand now made by Aguinaldo is to retain his people just outside of the interior black pencil mark on the map. The outside pencil marks indicate the position that General Merritt desired to have the insurgents withdraw to. I

inferred from what the aid said that what Aguinaldo particularly desires is that in case his requests are not granted that reasons are to be given which he can use to satisfy his people. The trouble with him seems to be that he does not think it prudent to give positive orders for his people to withdraw from the city.

The communication turned over read as follows:

REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES.

*Presidencia Bakoor, August 27, 1898.*

Gen. WESLEY MERRITT. *Manila.*

MY DEAR SIR: Knowing the contents of your letter of the 24th instant. I can not do less than manifest my surprise at knowing that you had formed the idea that my commissioners compromised themselves, in the conference of the 15th, to retire my troops outside of the line that you would designate.

I understood, and still understand, as well as the commissioners, that the evacuation by my troops of the posts that they occupy to-day on the outskirts of the city, would take place when the proposed conditions were accepted by you, among which figured the condition that the agreement (treaty) should be in writing to be valid; for which reason, not having yet accepted some of the propositions made at that time, nor those that were substituted in my previous communication, I do not think that up to the present time I have contracted said obligation.

If I have permitted the use of the waters before the promulgation of the treaty it was more to demonstrate that I am disposed to sacrifice to friendship everything that does not prejudice too much the rights of the Philippines. I comprehend, as well as yourself, the inconvenience of a dual occupation of the city of Manila and its suburbs, given in the conditions stipulated in the capitulation with the Spaniards: but you ought to understand that without the long siege sustained by my forces you might have obtained possession of the ruins of the city, but never the rendition of the Spanish forces, who could have retired to the interior towns.

I do not complain of the disowning of our help in the mentioned capitulation, although justice resents it greatly and I have to bear the well-founded blame of my people. I do not insist on the retention of all the positions conquered by my forces within the city limits, at the cost of much blood, of indescribable fatigues, and much money. I promise to retire, then, to the following line:

In Malate, the continuation of the calzada of Singalon to the bridge that joins said road: from this bridge in straight line to that of Paco: from this last bridge, following the creek Paco, and leaving outside the suburb Tandue, to the river Pasig: following this river and entering by the creek that goes to the bridge of Aviles: from this bridge, following the road (calzada) of the same name and that of Santa Mesa, that are the dividing lines between Sampaloc and the village of Pandacan, to the jurisdictional limit of the suburbs of Sampaloc, Trozo, and Tondo.

But before I retire to this line, I pray you to reclaim from Admiral Dewey the protection of our ships for free navigation, and permit me to insist, if you will, upon the restitution of the positions that we now are going to leave, if in the treaty of peace to be celebrated between Spain and the United States they acknowledge the dominion of Spain in the Philippines. I expect as well that you order the American forces outside of above line to retire within the city, as already agreed to.

I do not believe that the acceptance of the conditions proposed will prejudice the smallest right of your people, as it signifies nothing more than the acknowledgment of a part of the rights of a friendly people.

I am compelled to insist on the said conditions to quiet the complaints of my chiefs and soldiers, who have exposed their lives and abandoned their interests during the siege of Manila.

I hope that this time you will manifest the spirit of justice that pertains to such a free and admirably constituted Government as that of the United States of America.

Yours, very respectfully,

EMILIO AGUINALDO.

Aguinaldo's letter was considered the following day, when it became evident that time would be required to prepare an answer, as prior to doing so it was important to gain a knowledge of the contents of past communications on the subject, and to ascertain what other steps had been taken to adjust the difficulty, of which I was ignorant. I there-

upon telegraphed to General Aguinaldo at Bacoar, Cavite province, his then headquarters, as follows:

MANILA, August 31, 1898.

General AGUINALDO, *Bacoar*:

Referring to promise made by General Merritt to reply to your letter of August 27 within four days, I desire to state that he was unexpectedly ordered away and had not opportunity to reply. Being unacquainted with the situation, I must take time to inform myself before answering, which I will do at the earliest opportunity.

OTIS.

To this telegram he replied on the same day as follows:

General OTIS,

*Commanding United States Forces, Manila.*

GENERAL: By your telegram of this date I understood that your excellency substitutes General Merritt in his absence, for which I beg you will kindly accept my cordial salutation and my most sincere congratulations.

I shall have much pleasure in continuing with your excellency the friendly relations which ought to exist between us.

The bearer is one of my aids, who will acquaint you of some reserved affairs.

Hoping you will give your attention as the welfare of both countries require,

Very respectfully, yours,

EMILIO AGUINALDO.

BACOR, August 31, 1898.

A communication, of which the following is a copy, was thereupon prepared and sent to General Aguinaldo, at Malolos, Luzon, to which point he had removed his headquarters and established his so-called capital, viz:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., September 8, 1898.*

THE COMMANDING GENERAL OF THE PHILIPPINE FORCES.

SIR: I have the honor to acknowledge the receipt of your communication of the 27th ultimo, addressed to General Merritt, my predecessor, and by him transferred to me on the eve of his departure from Manila. By telegram of the 31st ultimo I informed you of General Merritt's hurried departure, in obedience to the orders of my Government; that his necessarily hurried preparations did not permit him to make reply to your communication; that such duty devolved upon me, and that I would perform it at the earliest opportunity and as soon as I could acquaint myself with the condition of affairs, of which I, having but recently arrived, had slight knowledge. To my telegram you made a most courteous response, and now, having carefully considered the situation, I have the honor to make reply as follows:

And first, in your note of the 27th ultimo you are pleased to manifest surprise that the late United States military governor should have reached an erroneous conclusion as to the result of a conference with your commissioners on August 15, as apparently manifested by his letter to you of August 24. I do not know the extent of any conversation which may have been indulged in at that conference, nor the nature of the impression which may have been conveyed. Referring to written memoranda in my possession which purport to contain the substance of propositions discussed, I find that certain concessions were made by the commissioners in expected return for specific privileges to be conferred, and, as there has not been a mutual agreement in these matters between the interested parties, I do not understand that any obligations have arisen by reason of that conference.

Second. I note with pleasure your allusion to your very friendly disposition toward my Government, as manifested by your prompt attendance to our request for a supply of water; also your expression as to the inconvenience of the dual occupation of the city of Manila, and I do not forget that the revolutionary forces under your command have made many sacrifices in the interests of civil liberty and for the welfare of your people, and to this I will be pleased to allude hereafter.

Third. In connection with your remark as to the injustice of the United States in not properly appreciating your assistance in the capture of Manila, I beg a full consideration, on your part, of the mandatory conditions which accompany occupation, which I am sure you fully appreciate, but to which I will respectfully invite your attention in a subsequent portion of this reply.

Fourth. You designate certain lines within the suburbs of the city of Manila,



to which you promise to retire your troops, and name as conditions precedent: First, protection to your shipping by the United States Navy, and the free navigation of your vessels within the waters in United States occupation; second, restitution to your forces of all positions which are now occupied by your troops, in the event that treaty stipulations between the United States and Spain surrender to the last-named Government the territory occupied by the former; and thirdly, that United States troops now occupying positions beyond the lines you name shall retire within the same.

A discussion of your proposition to hold, jointly, with the United States Government, the city of Manila, involves consideration of some of the other concessions you desired to be made, and to that I will at once refer. I wish to present the matter, in the first instance, in its legal aspect, although, from remarks contained in former correspondence, I am of the opinion that you are fully aware how untenable the proposition is. The United States and Spain were and are belligerent parties to a war, and were so recognized by the civilized world. In the course of events the entire city of Manila, then in full possession of Spanish forces, was surrendered to the first-named belligerent power. The articles of agreement and capitulation gave the United States Government full occupancy of the city and defenses of Manila, and that Government obligated itself to insure the safety of the lives and property of the inhabitants of the city to the best of its ability. By all the laws of war and all international precedents, United States authority over Manila and its defenses is full and supreme, and it can not escape the obligations which it has assumed.

By the able representatives who have charge of the Philippine revolutionary forces this conclusion will be admitted to be incontrovertible, and argument on the point is unnecessary. Can they who seek civil and religious liberty and invite the approval and assistance of the civilized world afford to enter upon a course of action which the law of nations must condemn?

But conceding, as you do, the strictly legal right of my Government to hold and administer the affairs of the city of Manila and its suburbs (I thus conclude from expressions contained in former correspondence and from my appreciation of your intellectual attainments), you base your proposition—a joint occupation—upon supposed equitable grounds, referring to the sacrifices your troops have made and the assistance they have rendered the American forces in the capture of Manila. It is well known they have made personal sacrifices, endured great hardships, and have rendered aid. But is it forgotten that my Government has swept the Spanish navy from the seas of both hemispheres; sent back to Spain the Spanish army and navy forces, recently embarked for your destruction, and the secure holding of the Philippine possessions; that since May 1 last its navy has held the city of Manila at its mercy, but out of consideration of humanity refused to bombard it, preferring to send troops to demand surrender, and thereby preserve the lives and property of the inhabitants? Is it forgotten that the destruction of the Spanish navy and the retention of Spanish armed men in its European possessions has opened up to you the ports of the island of Luzon and held Spain helpless to meet its refractory subjects?

As between my Government and the revolutionary forces of the Philippines, I fail to discover on what principle of common justice a joint occupation of Manila can be maintained. Equity, in a legal acceptance of the term, would most assuredly condemn it. A sense of justice should, in my opinion, have prompted the revolutionary forces to aid those of my country in every way possible in return for the great assistance they have received. You remark, in substance, that had you not prevented the Spanish forces from retreating from the city the United States would have received naught but its ruined streets and buildings. Possibly; but had all Spanish subjects, elsewhere and here, been the contented subjects of Spain war between it and my Government would not have been waged. It was undertaken by the United States for humanity's sake, and not for its aggrandizement or for any national profit it expected to receive, and it has expended millions of treasure and hundreds of the lives of its citizens in the interests of the Spanish suffering colonists.

Apart from all legal and equitable considerations, and those having their origin in personally conceived ideas of justice, I wish respectfully to call your attention to the impracticability of maintaining a joint occupation of Manila and its suburbs, and in this I know that I shall have the approval of your excellent judgment. It would be extremely difficult to prevent friction between our respective forces, which might result in unfortunate consequences, labor as we may for continued harmonious relations. Located in close proximity, irresponsible members of our organizations, by careless or impertinent action, might be the means of inciting grave disturbances; and in this connection I call to your attention the recent shoot-

ing affair at Cavite, which still requires investigation. There might also arise conflict of authority between our subordinate officers. Even now, within precincts in entire actual possession of our troops, I find that permits are given to citizens, who are styled local presidents, to make arrests, to carry arms, etc., in violation of our instructions and authority, and that several cases of kidnaping have taken place. In pursuance of our obligations to maintain, in so far as we can, domestic tranquillity, our officers have arrested suspected parties, and they have asserted (with what element of truth I know not) that the insurgent forces are the offenders. I have declined to accept their statements, as I prefer to believe the contrary, although it would appear that officers connected with those forces have issued the permits to which I allude. Such interference with our administration of civil affairs must eventually result in conflict.

Again (reverting to a legal aspect of the subject), the affairs of the entire city corporation must be administered from a common center. The trust accepted by my Government from those who surrendered actual possession confers a *discretionary* power, which can neither be shared nor delegated. The validity of this conclusion will be readily understood by yourself and associates as a well-established legal proposition, and does not require argument. And here permit me to remark upon a view of the subject you have advocated in support of the plea for dual occupation of the city's suburbs. Your forces, you say in substance, should have a share in the *booty* resulting from the conquest of the city, on account of hardships endured and assistance rendered. The facts on which you base your conclusion granted, your conclusion, under the rules of war which are binding on my Government, does not follow, for it has never recognized the existence of spoils of war, denominated "booty," as have many European governments. No enemy's property of any kind, public or private, can be seized, claimed by, or awarded to, any of its officers or men, and should they attempt to appropriate any of it for their individual benefit, they would be very severely punished through military tribunals, on which have been conferred by law very sweeping jurisdiction. The enemy's money and property (all that is not necessary to be expended in administering local affairs in the enemy's territory) must be preserved for final arbitrament or settlement by and between the supreme authorities of the nations concerned. My troops can not acquire booty nor any individual benefit by reason of the capture of an enemy's territory. I make this comment, believing that you hold erroneous opinions in respect to individual advantages which occupation bestows.

I request your indulgence while I briefly consider the concessions you ask us to make as conditions precedent to the retirement of your forces to the lines indicated by your note of the 27th ultimo.

The first is: Protection to your shipping and free navigation to your vessels. Neither the extent of protection nor the limit of free navigation you request is understood. Certainly you could not mean protection on the high seas, or in the ports not in the rightful possession of the United States. That, as you are fully aware, could only be effected by treaty, or guarantee, following international recognition of the belligerent rights of the Philippine revolutionary government. While the existing armistice continues, the United States are in rightful possession, in so far as the navigable waters of the Philippine Islands are concerned, only of the bay of Manila and its navigable tributaries. Within the same all vessels of trade and commerce and the war vessels of recognized national powers sail freely as long as the sovereignty of my Government is not assailed nor the peace of the locality threatened. In this respect, whatever concessions are extended by way of relaxation of trade restrictions, incident to war, to the citizens of these islands will be extended to all alike, and discrimination in this regard is neither intended nor permitted. Admiral Dewey exercises supervision over all naval matters, and they are in no way related to the duties conferred upon me by law. Nor would it avail should I seek his consent for greater latitude of action, for even if disposed to grant special concessions he could not do so, and I doubt if the supreme authority of my Government could now, under the prevailing truce with Spain, invest him with the requisite powers to do so and at the same time preserve its international obligations.

The second concession named by you is restitution of positions in the city of Manila to your forces, in case the treaty of peace remands to Spain the territory surrendered under the late capitulatory articles; and the third and last is a promise to retire our troops within the lines indicated by you, as the lines on which you desire your troops to remain permanently. These propositions having a kindred nature, may be considered together, and, indeed, have already been impliedly answered. From previous statements of facts and logical conclusions made and stated in this communication, concerning the nature of the obligations resting on the United States with regard to the territory to which they have the legal right of possession under contracting articles with Spain, it is evident that neither in

law or morals can the concessions be made. I would be powerless to grant them in any aspect of the case, being nothing more than an agent to carry out the instructions of the executive head of my Government and not being vested with discretionary power to determine matters of such moment. In the present instance I am not only powerless to accede to your request, but have been strictly enjoined by my Government, mindful of its international promises and national honor, which it has never broken nor sacrificed, not to accede joint occupation of the city and suburbs of Manila, and am directed specially to preserve the peace and protect persons and property within the territory surrendered under the terms of the Spanish capitulation. These mandates must be obeyed.

Thus have I endeavored with all candor and sincerity, holding nothing in reserve, to place before you the situation as understood by me, and I doubt not by the Republic which I represent. I have not been instructed as to what policy the United States intends to pursue in regard to its legitimate holdings here, and hence I am unable to give you any information on the subject. That it will have a care and labor conscientiously for the welfare of your people I sincerely believe. It remains for you, beneficiaries of its sacrifices, to adopt a course of action which will manifest your good intentions and show to the world the principles which actuate your proceedings.

You and your associates could not regret more than I any conflict between our forces, which would tend to excite the citizens of my country, who are always a unit in action whenever its sovereignty is attacked or its rights to fulfill its international obligations is called into question. Then they never count cost, and, as you are fully aware, its resources are abundant. Rather than see the ships of the navy of the United States controlling the navigable waters of these islands and its army devastating their territory, I would greatly prefer to advise my Government that there is no longer need to send more of its troops to this section of the country, and that those whom its holds waiting on its Pacific slope can be remanded to their homes or employed elsewhere, as it may determine.

It only remains for me to respectfully notify you that I am compelled by my instructions to direct that your armed forces evacuate the entire city of Manila, including its suburbs and defenses, and that I shall be obliged to take action with that end in view within a very short space of time should you decline to comply with my Government's demands; and I hereby serve notice on you that unless your troops are withdrawn beyond the line of the city's defenses before Thursday, the 15th instant, I shall be obliged to resort to forcible action, and that my Government will hold you responsible for any unfortunate consequences which may ensue.

Permit me to believe that my confidence in the sound judgment and patriotism of yourself and associates is not misplaced.

You will please pardon me for my apparent unnecessary delay in replying to your communication of the 27th ultimo, but press of the duties connected with the administration of the affairs of this city is my excuse.

In conclusion, I beg to inform you that I have conferred freely with Admiral Dewey upon the contents of this communication and am delegated by him to state that he fully approves of the same in all respects: that the commands of our Government compel us to act as herein indicated, and that between our respective forces there will be unanimity and complete concert of action.

I am, sir, with great respect, your obedient servant.

E. S. OTIS.

*Major-General U. S. A.,*

*United States Military Governor in the Philippines.*

On September 13, a commission sent by Aguinaldo and consisting of three members, one of whom was the treasurer and another the attorney-general of the insurgent government, called for the purpose of discussing the subject of my letter of the 8th. They asked me to withdraw it and simply request in writing that the insurgent troops retire to the line designated by General Merritt, which I refused to do, stating that unless they withdrew as directed we would be obliged to resort to force. They then asked that I withdraw the letter and issue a request unaccompanied by any threat to use force, as Aguinaldo was fearful that he would be unable to remove his troops upon a demand. To which I replied that the letter of the 8th instant would stand. They then said that as the demands of that letter must remain unchanged, the insurgents would withdraw as directed therein, but

that if I would express in writing a simple request to Aguinaldo to withdraw to the lines which I designated—something which he could show to the troops and induce them to think that he was simply acting upon a request from these headquarters—he would probably be able to retire his men without much difficulty; that, of course, they themselves understood the direction to withdraw, which would be obeyed, and thereupon repeated their desire to obtain a note of request, whereupon I furnished them with the following:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS.

*Manila, P. I., September 13, 1898.*

THE COMMANDING GENERAL OF THE PHILIPPINE FORCES.

SIR: Referring to my communication of September 8, I have the honor to inform you that I have had a most agreeable conversation with certain gentlemen who are in the interests of your revolutionary government upon the matters therein contained. We have discussed at length the complications now existing, which will exist, and will doubtless increase, while our troops continue to occupy jointly certain districts of the city of Manila. I have urged upon them the necessity of the withdrawal of your troops in order that the friendly relations which have always been maintained by and between them and the forces of the United States Government may be perpetuated. I am sure that the gentlemen fully appreciate my sentiments and will clearly report them to you. May I ask you to patiently listen to their report of our conversation?

It is my desire that our friendly intercourse and mutual amicable relations be continued; that they be not jeopardized if we can by consistent action avoid it, and such, I am certain, is the desire of yourself and associates.

May I ask, therefore, that you withdraw your troops from Manila?

Permit me to add in conclusion that I have that confidence in your ability and patriotism which will lead you to accede to this request.

I am, with great respect, your most obedient servant,

E. S. OTIS,

*Major-General, U. S. V.,*

*United States Military Governor in the Philippines.*

In reply to which, on the 16th, the following was received:

*MALolos, BULACAN, September 16, 1898.*

THE COMMANDING GENERAL OF THE AMERICAN FORCES.

MY DEAR SIR: Referring to your esteemed communication, dated the 13th instant, I have the honor to inform you that I have given appropriate orders that my troops should abandon their most advanced positions within some of the suburbs, and that they should retire to points where contact with yours would be more difficult, in order to avoid all occasion for conflict.

I hope that by these presents you will be fully convinced of my constant desire to preserve amicable relations with the American forces, even at the risk of sacrificing a part of the confidence placed in my government by the Philippine people.

A consideration of my many occupations will serve to excuse me for not having answered with the promptness desired.

Your very respectful servant,

EMILIO AGUINALDO.

On the evening of the 15th the armed insurgent organizations withdrew from the city and all of its suburbs, as acknowledged by their leaders, excepting from one small outlying district. This, certain agents of Aguinaldo asked on the previous day to be permitted to retain for a short time, on the plea that the general officer in command would not obey instructions, and they proposed to remove his men gradually by organizations and thereafter to punish him for his disobedience. The withdrawal was effected adroitly, as the insurgents marched out in excellent spirits, cheering the American troops.

During the progress of these negotiations the tactical organization of troops was being effected. General Merritt, on August 23, had formed the corps into two divisions, the first at Cavite, composed of troops recently arrived and expected to arrive later, with certain

exceptions; the second, of those stationed in Manila. Early in September orders were issued announcing the staff officers of the corps and department; also announcing to the command the promotions of Brigadier-Generals Anderson, MacArthur, and Greene to major-generals U. S. V., and of Colonels Ovenshine and Hale and Lieutenant-Colonel Whittier to the grade of brigadier-generals of volunteers; also the composition of divisions, which were organized as follows: The first, comprising all troops in the district of Cavite, Major-General Anderson to command, and consisting of one brigade to be commanded by Brig. Gen. H. G. Otis; the second, under command of Major-General MacArthur, consisting of two brigades, to be commanded, respectively, by Brigadier-Generals Ovenshine and Hale. Measures were taken to promptly meet any difficulties which might arise under the demand to withdraw from the city which had been served upon the insurgents. Brig. Gen. R. P. Hughes, U. S. V., relieved General MacArthur as provost-marshal of Manila, and was placed in command of a separate brigade to constitute the provost guard, consisting of the Twenty-third Infantry, the Second Oregon, and First Montana regiments of volunteers.

In General Merritt's orders of August 15 and 16, wherein he prescribed regulations for the government of Manila, he announced as follows:

In addition to his duties as brigade commander, Brig. Gen. Arthur MacArthur, U. S. V., is hereby appointed military commandant of the walled city of Manila, and provost-marshal-general of the city of Manila, including all outlying districts within the municipal jurisdiction. \* \* \* He will relieve the civil governor of his functions, and take possession of the offices, clerks, and all the machinery of administration of that office, retaining and employing the present subordinate officers of civil administration until in his judgment it is desirable to replace them by other appointments. \* \* \* In paragraphs 3 and 4 of the terms of capitulation, full lists of public property and stores and returns in duplicate of the men by organizations are to be rendered to the United States within ten days, and public property of all kinds is to be turned over to the staff officers of the United States designated to receive them. Under these paragraphs the chief of artillery at these headquarters and the chiefs of the staff departments will take possession of the public property turned over as above, pertaining to their respective departments. The returns of prisoners will be submitted to the military commandant of the city, who will assign the men, for quarters, in such public buildings and barracks as are not required for the use of United States troops. \* \* \* The chief paymaster at these headquarters will turn over such portions of the Spanish public funds received by him, by virtue of this order, to the military commandant above designated, as may be necessary for the administration of his office. All removals and appointments of subordinate officers of civil administration and transfers of funds authorized by the order must receive the approval of the commanding general before action is taken.

In addition to the command of his brigade, Brig. Gen. F. V. Greene, U. S. V., will perform the duties hitherto performed by the intendente-general de hacienda, and will have charge, subject to instructions of the major-general commanding, of all fiscal affairs of the government of Manila.

Col. C. A. Whittier, U. S. V., is appointed collector of customs, and the chief paymaster, Department of the Pacific, will designate a bonded officer of the Pay Department as custodian of all public funds. Both of these officers will report to Brigadier-General Greene for instructions.

Under this last paragraph, Maj. Charles H. Whipple, paymaster, U. S. A., was directed to receive the Spanish public funds. Maj. R. B. C. Bement, U. S. Volunteer Engineers, had already been appointed the collector of internal revenue, and by request of General Merritt and consent of Admiral Dewey, Capt. Henry Glass, U. S. N., was designated as captain of the port.

On August 22 military commissions and provost courts were provided for and their jurisdiction defined. In the proclamation issued

at the time of the surrender of the city, it was ordered that the municipal laws "should be considered as continuing in force in so far as compatible with the purposes of military government," and should "be administered through the ordinary tribunals substantially as before occupation, but by officers appointed by the government of occupation."

By department orders, issued on the eve of his departure, General Merritt, under instructions from Washington, relieved General Greene and personal staff from duty, directing their return to the United States, and appointed Lieut. Col. C. A. Whittier, inspector-general of the corps (and shortly afterwards announced as brigadier-general of volunteers), intendente de hacienda, which gave him charge of all fiscal matters in the territory of occupation, and continued him as collector of customs.

Such were the chief measures announced and the means adopted to continue in part and establish in part a temporary government to administer the affairs of the city of Manila. Unfortunately, the Spanish civil authorities abandoned most of their civil offices without making transfer of the public records and property. The officers of the Spanish army never made satisfactory returns of their troops, by organization or otherwise, and did not render lists of property to the United States within the period of ten days, as promised in the capitulatory articles, nor have they ever rendered such lists. The civil court justices vacated their positions and gradually sailed for Spain without giving notice of their intention to depart, nor taking the necessary measures to render secure the property and especially the records of their courts, many of which could never be found, and which, presumably, they took with them. To be sure, they had not been authorized to exercise their functions as judges by the government of occupation, as provided for in the articles of capitulation, until October 4, 1898, and then only in a limited degree, as the granting of such authority, in the then prevailing condition of public feeling, would have been politically disastrous, or at least most injurious, to United States interests. Indeed, in two or three instances when, without appointment or authority, they attempted to judicially determine questions in litigation and pending at the time of the surrender of the city, indignant protests were submitted by inhabitants, both native and foreign, and instructions to suspend action on the ground of unauthorized proceedings were issued from the office of the military governor.

Finally, upon October 7, to meet the needs of the citizens for tribunals to pass upon questions of a strictly civil character, the following order was issued:

Until otherwise directed from these headquarters, the civil courts, as composed and constituted by the laws of Spain, which were held and administered prior to August 13, 1898, within Philippine territory now subject to United States military occupation and control, are permitted to resume at once the exercise of the civil jurisdiction conferred by Spanish laws within the limits of that territory, subject, however, to such supervision by the military government of the United States here instituted as in its judgment the interests of that Government may demand. This privilege does not extend to or embrace permission to institute criminal proceedings or to exercise criminal jurisdiction of any nature or character whatsoever.

The provisions of orders heretofore issued by the authority of the United States in the Philippine Islands inconsistent with the foregoing instructions and directions are hereby revoked.

The difficulties and perplexities which confronted all officers appointed to conduct civil affairs were therefore very great. The

- prisons were full to overflowing with convicted criminals and persons charged with crimes. Immediate attempts were made to relieve this congestion, and applications of the friends of those incarcerated, for their release, were constant. In the jail deliveries which followed, although conducted after search of records obtainable at the time, a few of the most notorious criminals escaped. Subsequently greater care was exercised and each individual case was made the subject of investigation, and even then, when pardon accompanied by release was granted, it was frequently followed by application for the return of embargoed estates, which presented very perplexing questions for determination, involving a study of many Spanish war-measure decrees.

The city government which was in operation at the time of surrender and the revenue measures practiced for its support were the results of national, colonial, and local decrees, orders, and approved recommendations, more or less complicated, with amendatory features, uncodified, and running over a period of many years, presenting a system so complex that after the study of months it is not yet fully understood and certainly not appreciated. The monthly expenditures for the city have been double the amount of its receipts, but as all collections of whatever nature made in the islands are deposited with the general fund in the Treasury and money is drawn therefrom on warrants as demands arise, no difficulty has been experienced.

The chiefs of the supply departments and staff corps of the Army, who had been directed to receive and receipt for the Spanish military stores when the prescribed lists should be presented, were obliged to rely solely upon their own efforts to discover this property, as no assistance was tendered by the officers of Spain. They were, it is believed, fairly successful in their persistent searches, took up and accounted for the property found, considerable of which, such as clothing, subsistence, and medicines, were expended in the care of Spanish prisoners of war. The inventories which they made were very advantageous in the final settlement of United States and Spanish claims in regard to this class of property. General Merritt's orders and those which closely followed were based on the articles of capitulation by which it was transferred to the United States, as information concerning the peace protocol of August 12, which held in abeyance all questions of property rights pending the conclusion of a treaty of peace, had not been received. The fifth article of the Paris treaty of December 10 returned to Spain all these army stores and property, and the inventories which our officers had taken constituted the basis of intelligent settlement with the representatives of that government under treaty stipulations, and in many instances enabled those representatives to formulate their demands.

For three and one-half months Admiral Dewey with his squadron and the insurgents on land had kept Manila tightly bottled. All commerce had been interdicted, internal trade paralyzed, and food supplies were nearly exhausted. Upon the opening of the port merchants were clamoring for the reestablishment of inter-island commerce.

They had advanced large amounts of money on their harvested crops of tobacco, hemp, and sugar which awaited, at many points of the various islands, shipment to Manila. No present relief could be furnished by the military authorities. The harbor was filled with Spanish shipping and that of other European countries. The United States was not represented by merchantmen of any character. Spain owned and was entitled to possession of all Philippine territory, except temporary

occupancy of the bay, harbor, and city of Manila, although the insurgents had forcibly seized upon many cities and ports. The insurrection had to spread to, and was active in, all the islands with the exception of the Sulu Archipelago, and there the hereditary antagonism of the Moros was only comparatively dormant. Spain was concentrating her scattered forces in the south at the central Visayan Islands and at Zamboanga, and the Spanish general who was in immediate charge of Spanish military affairs (General Rios) had made his headquarters at Iloilo. Through negotiations with General Rios, conducted under War Department permission, an arrangement was effected whereby vessels carrying either the Spanish or American flag might engage in trade at a number of the inter-island ports, the Spanish laws to be applied to shipment and commercial privileges. But a grave difficulty still presented itself. Vessels flying the Spanish flag could not safely enter any ports which had been seized by the insurgents, nor could inter-island commerce be opened to foreign governments as it was free and undutiable in all respects. The merchants formerly employing the flag of Spain resorted to sale and transfer of their ships to American residents, technical doubtless in many instances, but upon furnishing due written proof of a full compliance with United States consular regulations in these particulars, provisional American registration was granted. Many of these vessels were thereupon released and trade became quite active. Still another difficulty was encountered and materially affected the public revenue. The customs tariffs and regulations which has been prescribed for application were faulty in many respects and required amendment before they could be intelligently applied. It was, therefore, ordered on September 29 that "the enforcement of these regulations be postponed until the 10th day of November next, and that the tariffs and duties at present imposed be continued to be applied in the port of Manila until that date, with this exception, viz, that all goods and merchandise secured, or purchased, within the dominions of Spain (the Philippine Islands excepted) since April 25, last, the date of formal declaration of war by the United States Government between that country and the Kingdom of Spain, shall be received into this port upon the same conditions as to payment of tariffs and duties as the goods and merchandise of strictly neutral nations."

Upon October 3 Capt. J. F. Evans, of the volunteer subsistence department, who had been sent to the Philippines to assist in revenue matters, was assigned to duty at the custom-house, his services to be temporarily "confined to a careful consideration of trade conditions and an exhaustive study of the United States customs and tariff regulations prescribed for application, with a view of suggesting amendments and modifications therein, in order to render them as practicable as possible to existing circumstances." The entire labor of revision was imposed upon him and he performed it in a most satisfactory manner. His revision was adopted and put in force at the announced date (November 10), has given satisfaction to all parties concerned, and has worked smoothly, only a few minor amendments having been made since it became operative.

There were also other complications which arose from Spanish action or a misunderstanding on the part of the United States authorities of Spanish expressed intention as to the particular measures which must be adopted to secure the entrance of American vessels to Spanish ports—such as sailing under Spanish captains and the obtaining, under certain conditions, from General Rios himself, at Iloilo, of a special permit



to visit certain trading points. Occasionally a vessel was turned back on her course by Spanish officers or denied entrance to a port after arrival there. Of this the merchants complained and the complaints became the subject of considerable official correspondence and controversy. The insurgents, too, whose government had taken firm root at Malolos, were, through the medium of president, cabinet, and congress, reeling off decrees and constitutional provisions at a rapid rate. Their army was continually successful against the small Spanish garrisons scattered throughout the islands, and they were beginning to acquire the belief that they were invincible. Revenue was their need and desire, and this they began to derive quite largely from imposing export duties on all products shipped to Manila from any shipping point in their possession, compelling the merchants to pay on their property some 10 per cent ad valorem upon removal. These many obstacles so impeded commerce that trade languished and the customs revenues were greatly impaired.

With the entrance of the United States troops into Manila and the opening up of that port immigration became active. Business men from our own and other countries, studying the situation, were quite numerous. Members of the criminal classes, who always follow the wake of a conquering army, came from the American and Asiatic sea-coasts in large numbers. The native population of the city rapidly increased and was augmented by a considerable Chinese influx, most of which presented cedulas or certificates of personal identity, issued by the late Spanish Government, in order to prove former residence in the islands, as the United States Chinese exclusion law was directed to be applied. Aguinaldo's army of observation, on the outskirts of the city, contained many natives or residents of Manila, who, with all others of his soldiers, were accorded if unarmed, though uniformed, full liberty to enter any portion of the same. All these heterogeneous elements, with the 14,000 United States troops quartered here, filled the city to repletion and gave the provost-marshal-general and his guards ample occupation. The outside country was not yet shut to trade and the port was open to all foreign ships. Hence subsistence was abundant and the minor business industries were well employed.

In a former portion of this report I stated the fact that the insurgent authorities had received permission to continue in occupancy of certain suburbs of the city for a short time when they, on September 15, withdrew their troops from its interior portions. They did not subsequently remove their troops in accordance with agreement, but appeared to be determined to retain Paco and Pandacan, as they believed them to be advantageous military positions, south of the Pasig River. The assertion was made, and became current, that these suburbs were not within the jurisdiction of Manila, and it became advisable to make search and survey to gain desired information on that point. These were made by Lieutenant-Colonel Potter, chief engineer of the corps.

The survey showed that the city had never been correctly mapped, especially as concerned the trend of the Pasig River and the lines of outlying districts. The best opinion did not consider the suburbs, still occupied by the insurgent troops, beyond city limits, but no decree could be found which fixed their political status. These troops had given great annoyance. Their officers had extorted contributions from the citizens of Manila, some of whom they had kidnaped and carried away. They had placed guards upon the river bank and in

many instances refused to permit our officers to pass their lines, although a mutual agreement had been made which permitted the individual members of both armies, when unarmed, to pass and re-pass all military lines without hindrance. A number of reports were submitted of insurgent interference in this respect. General Anderson called at my quarters on October 9, and complained of the indignity he had received at the hands of the insurgents, in not being permitted to proceed up the river through the insurgent lines, and was thereupon informed that, as soon as a certain map of survey could be completed, General Aguinaldo would be directed to remove his troops from Paco. On the following day he submitted the following official complaint:

HEADQUARTERS FIRST DIVISION, EIGHTH ARMY CORPS.

*Cavite Arsenal, P. I., October 10, 1898.*

The ADJUTANT-GENERAL.

*Department of the Pacific and Eighth Army Corps, Manila, P. I.*

SIR: I have the honor to report that yesterday, the 9th instant, while proceeding up the Pasig River, on the steam launch *Canacao*, with three officers of my staff, the American flag flying over the boat, I was stopped by an armed Filipino guard and informed that we could go no farther. Explaining that we were an unarmed party of American officers out upon an excursion, we were informed that, by orders given two days before, no Americans, armed or unarmed, were allowed to pass up the Pasig River without a special permit from President Aguinaldo.

I demanded to see the written order, and it was brought and shown me. It was an official letter signed by Pio del Pilar, division general, written in Tagalo and stamped with what appeared to be an official seal. It purported to be issued by the authority of the president of the revolutionary government, and forbade Americans, either armed or unarmed, from passing up the Pasig River. It was signed by Pilar himself.

As this is a distinctly hostile act, I beg leave to ask how far we are to submit to this kind of interference.

It is respectfully submitted that whether this act of Pilar was authorized or not by the assumed insurgent government, it should, in any event, be resented.

Very respectfully,

THOMAS H. ANDERSON,

*Major-General, U. S. V., Commanding Division.*

As soon as the completed map of survey of the city could be blue printed a communication was prepared and taken by one of my aids to Malolos. An allusion was made therein to General Aguinaldo's letter of September 16, in which he informed me of his action of the previous day in withdrawing troops in consonance with my former request and which did not at the time require reply. The communication was as follows:

OFFICE OF THE UNITED STATES MILITARY GOVERNOR,

*Manila, P. I., October 14, 1898.*

GEN. EMILIO AGUINALDO,

*Commanding Philippine Revolutionary Forces, Malolos, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your favor of the 16th ultimo, and beg to apologize for the late official recognition of the same, presenting as a reason for my delay the necessity of obtaining certain information in order to arrive at conclusions in matters materially affecting the substance of our late correspondence, the securing of which has been attended with great difficulty.

I fully appreciate the friendly spirit manifested toward my Government in your expressions of regard, which your action in retiring your troops has confirmed, but I believe there has existed and still exists some misunderstanding as to the limits of territory which that Government is compelled to occupy and administer under its international obligations with Spain, the responsibility for which it can not escape.

The articles of capitulation transferred the city of Manila, with suburbs and all defenses, as I had the honor to inform you in my letter of September 8. It was found impossible to determine definitely, on any existing map, either the limits of

the city or the lines of its defenses. The latter had been variously placed, at some points retired and at others thrust out beyond the conceded city limits. I therefore directed my chief engineer, by a careful search of the municipal records and an actual survey, to ascertain the lines within which occupation by United States troops was obligatory by reason of the terms of the surrender. He has finally concluded these directed labors, and has presented a map, of which the inclosed blue print is a copy, on which is traced in white the lines determined upon. By reference to this print and a comparison of the same with all former existing maps of the city and suburbs, it will be perceived that the latter vary materially from it, especially as to the trend of the Pasig River and the location of the Spanish defenses. The lines of circumvallation on the print begin at the Bocana de Vitas and thence they follow Maypajo Creek until they reach the line of the Lico road produced, thence proceed along said line and road to Lico, thence to the junction of the two roads in front of the Chinese hospital, thence along the road in front of said hospital to the north corner of the hospital wall, thence to Blockhouse No. 4, thence by Blockhouses Nos. 5, 6, and 7 to San Juan del Monte Creek at the aqueduct, thence down said creek and up the Rio Pasig to the mouth of Concordia Creek, thence by Concordia and Tripa de Gallinas creeks to a point opposite the place where the road from Cingalon to Pineda (Pasai) turns sharply to the right, thence by road to Maitubig, and thence to the mouth of the Malate Creek. This map is believed to be correct, as the surveying and platting were executed with the greatest care and with a desire for accuracy. The lines do not include all of the territory which the late Spanish chief engineer of this city has described as lying within its suburbs and a larger proportion of them are drawn within the lines of the city's defenses; but they are practical, and include all portions of the suburbs which my Government, under its promises to Spain, could be expected to hold possession of under any demands which Spain might present.

In your withdrawal of troops I note that to the north they retired to the line described on the map furnished by my predecessor, General Merritt, while to the east and south his request was not observed. As far as Paco is concerned, it was understood that the troops in that section would be withdrawn within a short period of time, and I have now the honor to represent that the retention of that mutually conceded suburb has been a source of great annoyance to the American authorities, and, as I fully believe, to yourself, while the revolutionary forces along the Cingalon and connecting roads have been the cause of complaint from the inhabitants of that section.

I am therefore compelled by reason of my instructions, which direct me to execute faithfully the articles of the Spanish capitulation, because of the interests of my Government and, as I sincerely believe, the welfare of your own forces, to ask that you withdraw all your troops beyond the lines marked in the accompanying blue print which are above described, and I must request such withdrawal on or before the 20th instant, else I shall be forced into some action looking to that end.

Permit me, in conclusion, General, to bring to your attention facts of which you are doubtless ignorant, and which all connected with the American authorities, especially that vast majority who have entertained a decided and pronounced friendly interest in the Philippine people, have viewed with more or less indignation. In a number of instances kidnaping and robbery have been committed recently within the city by parties who claimed to be connected with your forces, some of whom stated that they were acting under your instructions. This I can not believe; but the high-handed offenses committed by these persons show how important it is, for the interests of all concerned, to withdraw your troops as herein requested. In numerous instances my officers have submitted complaints to me that they have been arrested and been compelled to turn back to the city, though journeying as unarmed and peaceful citizens merely with the intent to seek health and recreation; and on Sunday last a funeral party from the British war ship *Powerful*, now lying within this harbor, was so delayed by the insurgent forces at Paco, when proceeding to its English cemetery, that it was obliged to return to its vessel and repeat the journey on the following day. I fail to see how such proceedings can be justified before enlightened public opinion, and it is a matter of profound surprise to me that people seeking relief from the control of a government, by which, in the pronounced judgment of a large portion of the civilized world, it has been oppressed for centuries, should permit its armed authorities to so conduct themselves as to arouse the indignation of friendly and assistant nations. The indignities which my Government has suffered from the revolutionary forces still illegally maintained at Paco (few of them are cited herein) can not be tolerated in future. Resistance to the high-handed proceedings there committed is not merely considered a duty from which there is no escape, but would be esteemed a virtue by any civilized government cognizant of

the facts. I do not for a moment permit myself to entertain the impression that either you, or the able advisers by whom you are surrounded, have authorized these insults to my Government, but I must bring them to the notice of the authorities which maintain these troops, and upon which rests the legal responsibility for their conduct.

There is another matter which I beg respectfully to present to your distinguished consideration. There are a great number of United States soldiers within this city and a large accession, primarily intended and equipped by my Government for use against the armed forces of Spain, is en route for this port. The continued unhealthfulness of the city, notwithstanding the strenuous efforts we are making for a thorough police of the same, may make it necessary to temporarily encamp such troops as are suffering from diseases contracted here on some point of land which promises favorable sanitary conditions for restoration to health.

Should the emergency become imminent, the dictates of humanity and the overwhelming demands of my Government would oblige me to establish a convalescent camp in this locality, to which troops could be sent for recuperation, and to relieve the congested situation which must attend the presence of so large a body of armed men within a thickly populated city. I have in mind for this possible camp the grounds on the shore of the bay formerly occupied by United States troops and designated Camp Dewey, or the high ground to the east of the city. It is my desire to place it at a locality which would not inconvenience any organizations connected with your forces or the surrounding inhabitants, and to the emergency of this anticipated proceeding I respectfully invite your consideration and ask your assistance should execution become necessary. Should action of this character be decided upon, I beg of you to rest firmly in my unqualified assurances that it will be undertaken in a spirit of the greatest friendliness and with the sincere desire to neither compromise nor affect in the slightest degree your interests and those of the people whom you represent, but, on the contrary, to enhance them.

Permit me to subscribe myself, General, with the highest respect,

Your most obedient servant,

E. S. OTIS,

*Major-General, U. S. V.,*

*United States Military Governor in the Philippines.*

On the 18th of October three accredited representatives from Aguinaldo called, and the chairman, Dr. Tavera, a member of the Malolos cabinet, presented a note, of which the following is a copy:

MANILA, October 18, 1899.

His Excellency Major-General OTIS,

*Military Governor of the United States Forces in the Philippines.*

GENERAL: I have the honor to place in your hands this note, which I bring personally, in which I make known the object of the mission confided to me by President Aguinaldo and which I will reiterate verbally. The letter dated the 14th of this month, which you directed to General Aguinaldo, reached his hands, and desirous of complying with your desires he called in council all of his generals and made known to them the desires which you expressed in your letter.

Highly appreciating the spirit of friendship and good feeling which is constantly noted in your honorable letters and which reflects the sentiments of Americans and of their policy toward us, the generals of Mr. Aguinaldo cheerfully accede to that which you ask.

But the idea of the possibility that Spain may return to this territory and occupy Manila as the result of the decision of the Americo-Spanish conference now in session in Paris, has caused said generals to try and obtain a modification of the demands which you make in your letter of the 14th.

Having verbally explained, for your consideration, the reasons which influence the manner of thought of the Philippine generals, I shall make also the following propositions, made by President Aguinaldo:

First. The Filipinos will retire beyond the line of demarcation indicated in the blue print, as you desire.

Second. The Filipinos will retain Pandacan under their jurisdiction.

Third. The Filipinos consider it of the greatest importance to occupy the blockhouses, with their forces of the line, in view of the possible return of the Spanish, promising not to pass with arms.

Fourth. General Aguinaldo asks of you an extension of the time indicated, for evacuation of his troops.

I repeat, sir, with the greatest consideration and respect,

T. H. PARDO DE TAVERA.

Considerable discussion followed and Tavera, a man of excellent scientific and professional attainments, long a resident of Paris and educated there, and who had advocated openly the establishment of American sovereignty in the islands as necessary to the welfare of the inhabitants, ably represented his chief, strongly urging the concessions requested in his communication. It developed that my letter of the 14th had aroused fierce opposition; that Aguinaldo had indignantly disclaimed any knowledge of the promise to gradually withdraw the troops from Paco and Pandacan, and that opinion on the question to withdraw or fight, which the insurgent leaders had discussed, was well-nigh equally divided. All the concessions requested were denied. Then an extension of the date fixed in my letter upon which the insurgent troops must be retired to October 25 was asked for and granted. In the course of our conversation Dr. Tavera and his associates strongly urged permission to retain all the Spanish blockhouses, but were informed that we could not yield in this matter, as some of them were within the lines beyond which they must withdraw. They then reverted to the blockhouses northeast of the city which were on those lines, saying that they had no shelter for their troops if they were taken from them, and I remarked casually that I did not consider them of any importance, as we did not intend to occupy them, but that I was unable to concede the point. It seems, however, that I was misunderstood in this matter, and the committee reported to Aguinaldo that these blockhouses would remain in his possession. When, six days later, after I had corrected this mistaken impression, Dr. Tavera called upon me in person and explained the most unfortunate position in which he had been placed by reason of this misunderstanding, I informed him that I would not take immediate action even if the insurgents did not vacate these houses on the date announced. All this appears in subsequent correspondence.

On October 20 it was reported that insurgent troops were moving southward by railway from Malolos and other points and were being concentrated near the north line of the city. On calling the attention of the insurgent authorities to this threatening demonstration the concentration ceased and many of the troops were removed.

On October 23 the following was received:

REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES,  
*Presidency, Malolos, October 22, 1898.*

General E. S. OTIS.

*Commander in Chief of the American Forces, Manila, P. I.*

GENERAL: In view of your favor of the 14th instant, I consulted the opinions of my generals and advisory council, and I have appointed Dr. Pardo de Tavera in order that he might place before you the wishes of all, as he did on the 18th. Said commissioners, upon giving me an account of your wishes, told me that you had consented to postpone the ultimatum for the withdrawal of our troops until the 25th and the retention by our forces of the blockhouses situated on the line shown on the blue map which you sent me with said letter, but had not acceded to the desires of the Philippine people that my forces continue to occupy Pandacan. Relative to the latter point, I take the liberty of telling you that your predecessor, General Merritt, understood that the American forces only ought to occupy, according to the terms of the capitulation of Manila, the city and its environs, i. e., Binondo, Tondo, Santa Cruz, Quiapo, Sampaloc, San Miguel, Concepcion, Ermita, Malate, and Paco, or San Fernando de Dilao, and thus he clearly puts it in his letter of August 20 last. The town of Pandacan has always been considered outside of the old municipal limits of Manila, which the general himself mentions in said letter, and I hope your high sense of judgment will see it thus.

Nevertheless, I understand that your forces are already occupying the Uli-Uli, Nactahan, and Santa Mesa districts, which, although belonging to the jurisdiction of Pandacan, they can continue to do, in order to prevent the continual encounters with mine which cause disagreeable incidents.

I take pleasure in manifesting to you that it is not lack of confidence, and much less animosity, that prompts me to write in this manner. To-day, more than ever, the Filipinos desire to live in peace and perfect harmony with the Americans, because they will take care that the Philippines do not return under the odious Spanish dominion.

When it is possible for a formal convention to pacify and harmonize the interests of the two peoples, then the suspicions of my people—which I can not completely quiet with my prestige and authority, no matter what good desires move me—will disappear.

I beg of you not to consider as an insult to your flag a bad interpretation of my orders, which I will severely punish according to the gravity of the offense. You, with your keen perception, will understand that a people agitated by a revolution return gradually, not suddenly, to their normal life, no matter how educated they are supposed to be. It becomes necessary for me to act with much tact in order to give no cause for internal dissensions.

And this consideration is what obliges me to ask you about the form and conditions with which you wish to establish a sanitarium within my lines: because I wish, at all cost, to prevent the possibility of your complaints being renewed concerning acts emanating from the continual contact of our forces. I understand that you have considered it necessary to demand the withdrawal of our forces, notwithstanding the friendship which binds us, in order to prevent friction. On this account, although I highly appreciate the humane sentiments which prompt you, I do not dare allow it, without previous explanations, for the very reason that I wish to preserve the friendship that constitutes the welfare of both peoples.

I hope you will pardon me, as the necessity of consulting various advisers has obliged me to delay my answer.

I am, General, with the greatest consideration, your obedient servant,

EMILIO AGUINALDO.

The representatives of Aguinaldo who presented this communication came prepared to argue its merits, and after considerable conversation I sent the oral reply that the subject had been exhaustively discussed and that General Aguinaldo must withdraw his troops from the lines designated on or before the date announced, remarking at the time that I would make formal reply later to certain points which he had presented in his note.

The insurgent troops were withdrawn on the afternoon and evening of October 25, as promised, and on October 27 the following letter was sent to Malolos, and brought out those of November 4 and 16, which hereinafter appear. These terminated all official correspondence upon the subjects therein discussed:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., October 27, 1898.*

Gen. EMILIO AGUINALDO,

*Commanding Revolutionary Forces, Malolos, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your communication of the 22d instant, and have awaited the result of correspondence and conferences upon the subject of which you treat.

Concerning the conference of the 18th instant with your representative, Dr. Pardo de Tavera, it resulted in an honest misunderstanding between us in one slight particular only. The doctor very ably, by letter, submitted your wishes—one of which was the retention of the blockhouses on the designated line. In regard to this matter, I said I was powerless to make any concessions, and in the conversation which followed remarked, in substance, through the interpreter, that we did not wish to occupy them, as we did not consider them of any importance. The doctor, I can conceive, very naturally misunderstood my meaning—in fact the interpreter might have done so—and when, on the 24th instant, the doctor again called and forcibly expressed his construction of my language, I was so impressed with his earnestness and honesty of purpose and convictions, I remarked that, although the law would not permit a concession, I would not raise any objection, unless hereafter compelled to do so by my superior authority, if your forces continued to occupy the blockhouses to the north of the Pasig River.

I have referred to General Merritt's letter of August 20, which you mention, and find that it is as you state. Unfortunately, I am bound by the terms of capitulation, which recite "the city and defenses of Manila and its suburbs." Pandacan

is certainly far within the line of defense and, from information obtained from two weighty sources, I have been led to believe that it has, of late, been considered one of the city's suburbs, although we have been unable to find any Spanish decree which fixes its status with definiteness.

In regard to the establishment of a convalescent camp for the restoration to health of members of my command, it was my intention to consult you and arrive at an understanding in the matter before attempting anything of the kind. I knew you would not offer objections if it could be so placed as not to give your people annoyance, since it could not be in any wise a menace, but, on the contrary, would place our sick within your power and to a certain extent under your protection. I have that confidence in your humane sentiments and in the kindly impulses of your people as to believe that you would surely consent to a measure of this character, and I think the poorer classes of surrounding communities would be pecuniarily benefited by the small trade that it would give rise to, as hospitals make many purchases of edible products which your people would be glad to furnish. Should necessity arise under which I would be forced to take action, it will be my pleasure to confer with you before proceeding in the matter, and I am fully convinced that you will give assent and assistance.

Permit me, General, to assure you that I fully appreciate the difficulties under which you labor in your endeavors to carry out the desires and demands of your people. As I have already expressed myself in former communications, I am fully convinced of your wish to maintain harmonious relations with the United States forces and government of Manila, and that you deplore, with me, any proceeding which may disturb that harmony and friendly feeling. I have been fully aware that all unpleasant incidents which have occurred, and to which I alluded in my former letter, were due entirely to irresponsible and unwarranted action of subordinates, and I am constantly called upon to correct misconceptions entertained by my troops and to punish offenses which they have wantonly committed.

I am gratified with the success, both as concerns the interests of the Filipino people and the United States troops, which has attended our mutual efforts for the amicable adjustment of affairs, and sincerely hope that the manifested good will which now exists by and between our forces may be long continued.

I am, General, most sincerely, your obedient servant.

E. S. OTIS.

*Major-General, U. S. V.*

*United States Military Governor in the Philippines.*

#### REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES,

*Presidency, Malolos, November 4, 1898.*

Maj. Gen. E. S. OTIS.

*Commander in Chief of the American Forces of Occupation of Manila.*

GENERAL: In having the honor of answering your letter of the 27th of October last, I shall make no mention of the first paragraphs of the same, because I see, with pleasure, that the matter referred to in them has had a solution adjusted to your desires.

I shall limit myself only to the last paragraphs that speak of the establishment of a camp for convalescents. Concerning this paragraph, I ought to observe that from the moment when a concession is made of a part of the territory occupied by our forces and a hospital is built in it, you will have to place there a force in charge to look after the interests there created, unless it depends for security solely and exclusively upon the guaranty offered by the laws dictated by our government.

You, yourself, General, have always impressed me more than once with the fact of the impossibility of a dual occupation of Manila, because the continual contact of your forces and mine might give place to innumerable disagreeable incidents, if not serious and grave conflicts, which may disturb the harmony that exists between us. I am fully aware of the humanity you invoke in favor of the sick, but on the strength of this consideration it is my sacred duty to look after millions of souls whose security and interests would be compromised if a conflict between us should ensue. The only solution possible is to completely cede you the use of this encampment, and this, as you will understand, requires some fixed basis of arrangement more concrete than can result from a verbal one made in a conference. Besides it is my duty to submit these conditions to the representatives of the people.

It is not lack of confidence which obliges me to proceed in this manner; it is necessity. These bases, if in the meanwhile a friendly convention between your

Government and mine is not realized, will constitute the provisional rules that will serve as the form for the solution of the claims that might occur.

And, above all, these lases will contribute very much to perpetuate the friendship that exists between us, because my people will take great care not to break them.

I am, with the greatest consideration, your attentive and obedient servant.

EMILIO AGUINALDO.

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINES.

*Manila, P. I., November 10, 1898.*

Gen. EMILIO AGUINALDO,

*Commanding Revolutionary Forces, Malolos, P. I.*

GENERAL: I received with pleasure your note of the 4th instant, and have the honor to point to the point you present in regard to the establishment of a convalescent camp beyond the present line of actual occupation by the United States troops, as follows:

I am not convinced that such establishment will be at all necessary, and, in fact, from present indications it would appear that we shall be able to care for our sick within the line and defenses of Manila.

With regard to right of occupancy of territory, so many international questions arise under the articles of capitulation with Spain, which the United States is in honor bound to strictly construe and obey in all matters affecting its action, that I do not intend to present them for determination if it can be consistently avoided, especially not those which might demand argument and decision, such, for instance, as might arise regarding shore lines, which rightful occupation by the United States of the bay and harbor of Manila, with conceded rights of use for commercial purposes, might involve.

I am, General, with great respect, your obedient servant,

E. S. OTIS,

*Major-General, U. S. V.,*

*United States Military Governor in the Philippines.*

During the latter part of October instructions were received from Washington directing that effort be made to secure the release of members of the Spanish clergy and religious orders who were held by the insurgent government as prisoners of war. Correspondence ensued and is here given to serve as a basis for comment in a later portion of this report. Four communications passed, of which the following are copies:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., November 2, 1898.*

Gen. EMILIO AGUINALDO,

*Commanding Philippine Revolutionary Forces, Malolos, P. I.*

GENERAL: By direction of my Government, I have the honor to present for your distinguished consideration a subject which is causing much comment and a great deal of severe criticism of the Filipino people throughout Europe and among the very large class of Catholic citizens of my own country, and that is the retention, as prisoners of war, of the Spanish Catholic clergy and nuns. I believe that a vast majority of the reports of great cruelty and barbarous treatment practiced by the Filipinos toward these individuals which have been put in general circulation are untrue. Indeed, I have forbidden cablegrams prepared on this subject, which I had good reason to suppose could not be substantiated, to be sent to other countries, and I have informed the United States authorities that many rumors of this nature in circulation throughout the civilized world were greatly exaggerated. Still, however, the facts stand out prominently that these individuals have suffered privations and hardships and are still held in captivity, and fabrications charging most cruel and inhuman treatment resulting in loss of life will continue to be spread abroad to the great detriment of the interest and welfare of the Filipino people. I do not consider that I sacrificed in any particular the confidence reposed in me by my Government in communicating to you that it has been requested by the Vatican at Rome and by many distinguished men high in the councils of nations to employ its good offices in efforts to secure the liberty of the Spanish clergy and of all individuals connected with religious orders now held in durance, among whom are especially mentioned the Bishop of New Segovia and the nuns in the northwestern part of the island of Luzon.

It is, of course, needless for me to present to you or the able counselors by whom



you are surrounded, and, indeed, it may be considered a presumption on my part to invite your attention to the fact that this clergy, and, indeed, the civil functionaries of the Spanish Government, can not under a strict interpretation of the rules of international law be deemed prisoners of war except in certain very aggravated cases. It would require most decided action on the part of members of religious orders to place them in that category, and the seizure and retention of nuns or interference with them in the practice of what they consider their duties under their sacred religious vows is invariably looked upon with marked disfavor by all nations claiming to practice civilized warfare. All this is well known to you, and I only allude to it to account, in a measure, for the erroneous impressions which publicly prevail regarding the humane sentiments and good intentions cherished by the Filipinos, and which are so damaging to them in securing a position as a people which they seek to invoke. You will please pardon me for this allusion, but the matter is so important to the best interests of the Filipinos that I have taken the liberty, uninvited, to present it.

Confident that you seek the welfare of your people, may I in that confidence ask you to use your conceded influence to correct this condition of affairs and to act with me in efforts to place these prisoners in a position which will put an end to the acrimonious criticisms which now so widely prevail? I would be pleased to receive them here at Manila and care for them while they make preparations to leave the country, as I am informed many of them desire to do; and more particularly does it appear to me as most essential that prompt action be taken with regard to the nuns. Any traveling expense or cost of food required to effect their removal to this point I would be glad to meet should you desire it.

I am, General, with great respect, your obedient servant.

E. S. OTIS,

*Major-General, U. S. A.,*

*United States Military Governor in the Philippines.*

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REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES.

*Presidency, Malolos, November 3, 1898.*

Maj. Gen. E. S. OTIS,

*Commander in Chief of American Forces of Occupation in the Philippines.*

GENERAL: I take pleasure in acknowledging the receipt of your kind communication of yesterday's date, and I ought to tell you that your observations, far from displeasing me, are very useful to me, as they are dictated by the enlightenment acquired in the atmosphere of a free country.

I ought also to inform you, especially, that we do not make prisoners of women and children, and much less of the nuns. If some woman or child is found among our prisoners, it is because they are part of the family of one from whom they do not wish to be separated, requiring us to support them at the expense of the Philippine treasury. This detail is not foreseen in international law, but the Filipinos observe this custom, prompted by humane sentiments.

I am glad to hear you say that the Spanish clergy and civil officials can not be prisoners of war according to international law. Before answering this point allow me to observe that we have only taken as prisoners the priests (sacerdotes religiosos) belonging to the Spanish clergy, and not those who live the life of monks; and permit me to make this point clear in order that the explanation which I have the pleasure of giving you may be more intelligible, and so, also, that foreign public opinion may not be mistaken. It is true that international law declares in general that the clergy and civil officials can not be prisoners of war, but the spirit of these very laws exclude the Spanish priests (sacerdotes religiosos) and civil officials in the Philippines, because they (Spaniards) alone possess the certain class of persons known by that name.

Beginning with the Spanish civil officials, I take the liberty of pointing out to you that at the beginning of the declaration of war between the United States and Spain they were obliged by General Augustin to bear arms, without distinction as to class, and even before, during the first stages of the Philippine revolution, Spanish civil officials were already formed into armed volunteer corps who, if they did not frequently go into the field in company with the regular soldiers, shot and arrested defenseless and pacific inhabitants in order to imprison them and submit them to indescribable torture. Besides, I ought also to say that in the Spanish penal prisons and penitentiaries groan even hundreds of prisoners and deported Filipinos who were torn away from their homes on account of the suspicions of the old Spanish Government, and thanks to the arts and malicious customs of the priests (sacerdotes religiosos) called ministers of peace.

Relative to the priests, or rather Spanish "sacerdotes religiosos," I take the liberty of laying before you the following points:

A. The religious corporations of the Philippines have acquired large agricultural colonies by means of fraud. In olden times the Filipinos, prompted by their religion, gave away a part of the products of their lands to the old priests (sacerdotes religiosos) for their support. But in the course of time that which was prompted by spiritual motive they made obligatory, taking possession of the lands, in order to better secure it, and making the proprietors dependents or colonists who could not refuse paying, because of the vengeance of the Spanish authorities, whom the said sacerdotes had in their favor, through bribery.

B. According to the canons of the Roman Church, these priests or religious sacerdotes can not claim the privilege of absolving, which is solely reserved to the secular clergy to which the Filipino priests belong. Nevertheless, the ecclesiastics, in order to be able to exercise the duties of parochial priests (cura parroco) in the Philippine towns, have been cheating the Vatican and foreign public opinion, picturing these towns as savage ranches, which require the care of Spanish religious missionaries that the natives may not return to their ancient idolatry. The Filipino priests who have tried to rectify this false opinion of the Vatican relative to the religious state of the country, in order to be obedient to the canons of the church, died martyrs, accused by the ecclesiastics of being disturbers.

C. The same priests (sacerdotes religiosos) tried also to cheat the Spanish Government, making it believe that they were the only upholders of Spanish sovereignty in the Philippines, and although the Spanish authorities recognized the fraud, they did not want to admit anything, as they were influenced by the gold of the religious corporations. These priests, exercising the right of absolving in the Philippine towns, have been for a long time the absolute masters of the life, honor, and property of the Filipinos. For this reason, it is a widely known and notorious fact, recognized by all the foreigners who have studied Philippine affairs, that the primary causes of the Philippine revolution were the ecclesiastical corporations which, taking advantage of the corrupt Spanish Government, have robbed the country, preventing progress and liberty.

With these antecedents, General, you will understand that, owing to the influence and interests of the religious corporations in the Philippines, it is neither just nor politic to set at liberty the priests (sacerdotes religiosos). The archbishop, as well as the Spanish bishops in the Philippines, belong to the regular Spanish clergy, and it is not prudent to allow them to continue ruling in these islands, as they can incite a counter revolution, assisted by their gold and some fanatic Filipinos, who still obey their commands.

When the Filipino priests, unjustly spurned by the Vatican, have obtained the right to appointment to the duties of bishops and parochial priests, then there will be no danger to the public tranquillity in setting at liberty the ecclesiastics. The Spanish Government and the Pope have proven themselves ignorant of law or justice, when one deals with their interests. For that reason the Filipinos wish to hold the civil officials in order to obtain the liberty of the prisoners and deported Filipinos; and the priests in order to obtain from the Vatican the recognition of the Philippine clergy.

As a representative of the Government of the United States, I beg of you, General, with the greatest kindness, to notify it that neither vengeance nor hate influence the Filipinos when they hold the civil officials and Spanish ecclesiastics, but that public interests and the peace of the Philippine people demand these measures. International law will have to give way before the just cause of a country of millions of souls, because this cause is one of humanity, civilization, and progress. My people exact these measures and I can not but comply with their will. If you, General, can interpret the sentiments of the people to your Government and foreign public opinion, and by this means correct the erroneous ideas emanating from the ignorance of the true condition of the country, you will make yourself a creditor to the gratitude of the Filipino people and the civilized world.

I am, with the greatest consideration, your most obedient servant,

EMILIO AGUINALDO.

OFFICE UNITED STATES MILITARY GOVERNOR

IN THE PHILIPPINE ISLANDS,

Manila, P. I., November 10, 1898.

Gen. EMILIO AGUINALDO,

*Commanding Philippine Revolutionary Forces, Malolos, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your cordial communication of the 3d instant, for which permit me to thank you, and to which my manifold duties have denied me the pleasure of replying as promptly as I wished.

I highly appreciate your expressed desire to act for the public interests, the peace of the Filipinos and in accordance with the dictates of humanity, but you will pardon my candid confession that I am unable to comprehend the force of your remark to the effect that international law must give way before the just cause of a country of millions of souls because it is one of humanity. I fail to understand how the principles of that law can be antagonistic in any particular to the welfare of a people, founded, as they are, on the best interpretation of the law of nature, which the acknowledged wisdom of ages of human progress has been able to bestow. Every independent nation claiming advanced enlightenment professes to be bound by these obligations of that law and certainly would be held responsible by the civilized world should it openly violate them.

My previous letter contained the request of my Government for the release of the clergy and members of religious orders, including nuns of a certain locality reported to be held by you as prisoners of war. Your reply informs me that you hold as such prisoners the Spanish priests and former civil officials, but not women and children, "much less nuns." In regard to the latter, I must have been misinformed, for I received the impression that they sought return of their personal effects, of which they had been deprived, with permission to join their friends in this city. Your letter, however, assures me that they have not been despoiled and possess full liberty of action to journey whersoever they please. This information I will gladly convey to my Government and to persons immediately interested in their welfare who have expressed concern for their safety as regards health, life, and individual property.

In respect to the Spanish officials whom you hold as prisoners of war, you are pleased to remark that during the first stages of the Filipino revolution they were formed into an armed volunteer corps, were subsequently obliged to bear arms without distinction as to class, and that if they did not frequently take the field with the army of the enemy, nevertheless shot and arrested peaceable and defenseless inhabitants. These you desire to retain until opportunity offers to exchange them for Filipino prisoners now in the hands of Spain. I am not conversant with the facts you narrate, and am not therefore competent to arrive at any conclusion. It is, however, a well-established principle of law that the chief officers of a hostile government, such as its diplomatic agents and those who are of particular importance and use to it, become, upon capture, prisoners of war, but I do not think that its minor officials are classed in that category, unless armed or attached in some capacity to a hostile army for the purpose of rendering active aid.

As regards the members of the Spanish clergy I understand you to state, in substance, that they are held as prisoners of war on account of the grave offenses committed by them while Luzon was under the practical domination of Spain: that they were the primary and principal cause of the revolution which has been in progress for the past two years; that it is not prudent to set them at liberty, as they are disposed, and might be able, if released, to incite a counter revolution in Spanish interests, and that they are retained in prison not only for such reasons, but also to compel the Vatican to recognize the conceded rights of the Filipino clergy, which has heretofore been denied it.

Accepting these as established facts (my knowledge is not to the contrary), the conclusion does not appear to follow that these members of the clergy can be considered prisoners of war, and I can not conceive how, under the laws of war or any international right arising from the state of belligerency existing between the Filipinos and Spain, they can be so denominated. Nor do I understand your suggestion that the spirit of these laws, if not their context, excludes these people from the protection which strict interpretation bestows, whatever may have been their previous crimes. Even if these priests belonged to religious corporations, against which the Filipinos had well-grounded complaint for past offenses, and indeed for cruelties received at their hands: even if they exhorted the communities in which they resided to resist the revolutionists, and might still do so if released; even if they persecuted the Spanish subjects among whom they lived, they could not be considered as prisoners of war in any sense of that term unless captured while making armed resistance or giving active armed aid to the enemy.

The law of nations allows every sovereign government to make war upon another, and concedes the right of revolution to a people greatly oppressed, but it does not admit a violation of the rules of regular warfare regarding the status of persons arrested or captured or in the treatment of prisoners of war, although they may belong to the forces of an unjust assailant or a formerly tyrannical master.

The expressed intention of holding these Spanish priests as prisoners of war in order to force the Vatican of Rome into certain acknowledgments with appropriate action I can not conceive to be well founded in law, custom, or precedent, and am convinced that such a position is untenable.

In this somewhat hasty letter, General, I have accepted all your facts for the sake of argument, and am unable to reach your conclusion, viz. that the members of the religious orders are rightfully kept imprisoned, and that the interests of the Filipino people demand their retention. I do not think that the views you advance would receive favorable general acceptance, and believe therefore, in all sincerity, that the good name, reputation, and welfare of that people would be greatly enhanced by relieving those men from the captivity which they have so long endured.

I can only ask in conclusion that the wishes of my Government may receive more favorable consideration than your most friendly letter indicates.

I am, General, with great respect, your obedient servant.

E. S. OTIS.

*Major-General U. S. A.,*

*United States Military Governor in the Philippines.*

PRESIDENCY REVOLUTIONARY GOVERNMENT OF THE PHILIPPINES.

*MAILOS, November 18, 1898.*

To Maj. Gen. E. S. OTIS.

*General in Chief of the American forces of Occupation in Manila.*

GENERAL: Allow me to inform you that I have received your kind letter of the 10th instant: begging you to pardon the tardiness with which I answer, because of my many occupations.

I highly appreciate your desire to intercede for the liberty of the Spanish civil officials and the priests, and be assured that if well-founded reasons did not exist in order to retain them, always attentive to the laws of humanity and agreeing with the principles that regulate the relations of independent states, I would not have given you occasion to make in their favor the petition that elevates you so much.

In my last letter I have advanced the reasons which I have convinced myself justifies me in considering as prisoners of war said employees and ecclesiastics. Nevertheless, you attempt to depreciate the force of my arguments, relative to which I beg of you to kindly favor me by listening to my answer.

You say in your letter that in virtue of the principles of a right well established the chief employees of a hostile government, as well as diplomatic agents and those that render services of a particular importance, can be considered as prisoners of war; but that you do not think mere employees can be classified in said category unless they are armed or in some way attached to a hostile army for the purpose of lending their active aid. And in view of this assertion, coming from a person so competent, I can not do less than congratulate myself, for in that statement you recognize as justified the principal reasons that I uphold in retaining as prisoners the civil employees as well as the priests.

Admitting that principle, it must be confessed that it is strictly in conformity with my conduct if it is admitted (an undeniable fact) that the civil employees, as well as the regular priests (parrocos), not only supported in an active way those who combated against the Filipino revolutionists, but also personally took up arms in order to fight against them.

I have already said in my last letter that the decree of General Augustin of the 23d of last April obliged not only the employees of the state and municipality to take up arms but also the Spaniards born here, and that in the first epoch of the Filipino revolution they formed armed volunteer corps which, while guarding the towns, made arrests, tortured the prisoners, executed defenseless citizens, or joined the regular soldiers to fight against the revolutionists. General, read carefully the local papers from the time the revolution began and you will see there the proof of what I say. The pages of said papers are indisputable evidence of the military services rendered by the civil employees of the Spanish Government and the compensation received by them as a premium for their services. With these antecedents is there room for the least argument that the Spanish civil employees should not be held as prisoners of war?

The same, if not worse, can be said of the priests. The latter, degrading their office, transformed from servants of the Lord to feudal lords and supported by the Spanish Government, were absolute masters of the lives, lands, and honor of the Filipinos.

At the beginning of the revolution they did not discharge the duties of ministers of peace or preach gentleness or Christian charity, but, profaning their sacred mission, they made themselves the police of the Spanish Government, false denouncers of innocent citizens.

It seems incredible that those who should raise their prayers to stop so much cruelty and infamy committed by the Spanish Government, those who should give themselves over to, reclusion and mortification and penance for so much crime, were precisely those who took part in the affairs, and with base insinuations, with infamous accusations and ideas of vengeance, increased more and more the pyre of the dead, and the defamatory charges through which were sacrificed precious and innocent lives and the honor of many citizens.

Again, vengeance does not move me in treating these ecclesiastics as prisoners of war. I conform to the principles of international law advanced by yourself, for, apart from the abuses committed by the priests, to which I have referred in my last letter, and the facts that I add in my present one, you are informed that they have taken up arms against the revolution: as, for example, the priests (parrocos) of the town of Lipa, province of Batangas, who made themselves leaders of volunteer corps. In Manila, during the siege of the town by your forces, all the ecclesiastics, organized and uniformed, formed a part of the municipal armed guard, and all of them you may be sure have lent their directive and effective cooperation to the forces that fought against the Filipinos, not only maintaining at their expense armed bodies, but accompanying them in their expeditions as well as inciting them to battle.

The convents have been the most impregnable defenses where the Spanish combatants, together with the priests, shielded themselves in order to attack the revolutionists, and this government preserves quite a number of muskets taken from the ecclesiastics. Therefore, the principle which you mention can be applied to them, and it follows in consequence that they should be treated as prisoners of war—the more so if all their civil attributes are taken into consideration. There is reason, therefore, to class them in the category of chief employees or those rendering service of special importance.

The principles of international law sustained by the most noted authors were taken into account by me when I treated as prisoners of war civil employees and the priests. Jiore, Martens, Bluntschli, and others, hold that all persons, though not forming a part of the army, but who follow it to perform their pacific functions, can be held as prisoners of war. I only exempt the hospital personnel, according to the Geneva convention, provided that they take no active part in the war: and the Spanish-American encyclopedia says: "All those who form part of the enemy's forces, whether they are regular troops or militia, all those who accompany armies on their expeditions, the newspaper correspondents, providers, even the civil officials, can be made prisoners."

Besides, retort (reprisalias) is a right admitted by the most cultured nations as a penal power to be exercised by one of the belligerents with respect to the other when the latter violates the rules or laws generally accepted: or as a sanction in the sense that by it the reprisalia can require the enemy to fulfill his duties.

In virtue of the right of retort, during the war of North American independence, the great Washington, to avenge the shooting of an American colonel, a prisoner in the hands of the English, deemed beyond the rules of war the English Colonel Argyll, a prisoner held by the Americans. Thanks to the intervention of the Queen of France, the order was not executed. In virtue of the same right, the German generals in the war of 1870 ordered the houses in which their soldiers had been treacherously attacked to be fired and destroyed.

If there were then no international rules to justify the retention of the civil officials and priests as prisoners of war, could not we Filipinos, not even considered belligerents by the other nations, invoke the right of retort in order to secure measures obliging the Spanish Government to grant the liberty of many Filipinos (prisoners for political reasons) and check their barbarous methods of torturing and shooting the lovers of liberty and independence of their country?

This is the reason why, in my last letter, I said that international law would have to give way before the just cause of a country of millions of souls, because this cause is one of humanity, civilization, and progress.

It is far from my intention, in making this assertion, to show you that in retaining as prisoners the persons in whose liberty you are interested, I cite international law only when attending to the desires of my people, because I have well demonstrated that in taking this determination I have really been guided by those laws, at least when they do not greatly prejudice the welfare of my people. I have only wanted to say that in many cases the principles of international law, generally observed by the most cultured of nations, must conform to existing circumstances in the interest of a people who bewail the violation of those laws. For this reason it is understood that the most civilized nations recognize the right of retort. Thus also, General, when I tell you that the Filipino people desire to hold as prisoners the civil officials in order to obtain the release of the deported Filipinos and their priests, and in order to obtain from the Vatican the rights of the

Philippine clergy. I have not wished to defend the measures adopted on that ground alone, when other well-founded principles justify my conduct. I have only wished to indicate that at the opportune moment, notwithstanding the motives previously advanced, liberty can be granted to these prisoners without the displeasure of the people.

I should like to see that moment arrive as soon as possible, to demonstrate to you my liveliest sympathy for the fulfillment of your desires, which to-day I am impeded from meeting for well-understood reasons.

The Philippine people, who aspire to a life of liberty and independence, have not deserved from the civilized nations, not even the United States, at least until the present time, the recognition of their rights in their war against Spain. They have the glory of having complied with the rules required to be observed by belligerent powers and nothing can be said to the contrary. I have no doubt, General, that having given your noble impulses and cultured judgment and sympathy to my country you will know how to interpret the sentiments of this letter before your Government and the civilized world and to justify my conduct in holding as prisoners of war the civil officials and the priests.

I close this letter, begging you to pardon the trouble that its perusal will cause you.

I remain, your most respectful servant.

EMILIO AGUINALDO.

The last reply, and possibly the first, was drawn by Aguinaldo's attorney-general, a person of excellent legal attainments, who is now serving as one of the United States judges in the court of the audiencia, and was considered unanswerable by the Malolos government. It received newspaper publication at Malolos and here in Manila. An answer was drafted in part, but never delivered. It recited the fact that the discussion of the subject had reached proportions never contemplated; that I was not authorized to intercede for the release of the civil officials, and that my requests had been limited to priests or members of religious orders, and further remarked as follows:

A reference to the correspondence will show that my expressed desires are limited strictly to requests of that character, and in reference to them you have been good enough to inform me that of the classes of persons named you hold as prisoners of war only the Spanish clergy, permitting full freedom of action to all female members of religious institutions.

The announcement of that portion of your policy which affects nuns, or women who are devoting their services to the interest of church and benevolent societies, was received with satisfaction and has disarmed, to a certain extent, the hostile critics who have proclaimed that the revolutionary forces were imposing barbarous treatment on inhabitants in Luzon whom they retained in captivity. Appreciating this sentiment, I was pleased to assure one of the good ladies of the church, Dona Sista del Rosario of the Dominicans, who called for an expression of my opinion as to whether she could make a contemplated journey to the province of Cagayan for the relief of certain nuns, that she would not experience any difficulty in so doing, as their movements were entirely optional with themselves and would not be interfered with.

Returning now to the subject of my Government's request, viz. that which concerns priests. You are pleased to quote from my letter of November 10, not, however, the language employed, but as understood by you, doubtless, and to apply it in aid of your argument for their retention. The meaning of my language is very different from that which you believed it to convey. My remark referred strictly to civil officials, was only a passing brief attention given to one which your former letter contained and had nothing whatever to do with any other class of individuals. I said that it was "a well-established principle of law that the *chief officers* of a hostile government, such as its diplomatic agents and those who were of *particular* importance and use to it, became, upon capture, prisoners of war," not its minor officials, unless armed or attached in some capacity to a hostile army, etc. I had not then, nor have I now, the impression that the priests could be classed as important civil officials of the Spanish Government, nor as minor civil officers armed as soldiers or attached to the Spanish hostile army warring against the insurgent forces in the field.

Formerly, as you are aware, a lawful prisoner of war was an active combatant secured by capture or through surrender. In these later times the class has been greatly enlarged, and embraces members of the sovereign family, ministers and

diplomatic agents of a government, and persons of importance at particular moments, though separate from the mass of combatants. This extension is due to the fact that no great hardships should now attend the lot of a prisoner of war, while his detention may help to defeat the military operations of the enemy or assist those of the army making the arrest.

With an army in the field pursuing active hostilities, the laws of war permit civilians accompanying it to be taken and held as prisoners temporarily and while their services may be of benefit to that army. The termination of hostilities should put an end to the period of imprisonment. So with the priests. If their confinement as prisoners of war was ever lawful, further detention can hardly be justified on the ground that it will assist your revolutionary government, or that release will injure it, unless, possibly, you apprehend determined hostility thereto, manifesting itself in dangerous demonstrations on the part of the people who may be governed by their prejudices or spirit of revenge, for it is understood to be the desire of the priests to return to Spain and not linger in these islands longer than is absolutely necessary; and it is conceded, I presume, that, removed from the country, they will be powerless to aid Spain in its further efforts to crush what it is pleased to denominate a formidable rebellion. The plea that you hold them to effect an exchange for priests of Philippine nativity and to compel certain recognition of principles by the Vatican at Rome is not well founded. The imprisoned native priests were probably state prisoners when Spain held acknowledged control of the islands and before rebellion had raised its front. The pacification, too, which terminated in the agreement or so-called treaty of Biac-na-bato may have set at rest all questions arising in the cases of prisoners captured during the rebellion of 1896. For an army to seize members of the clergy and hold them as prisoners of war for the purposes of effecting the release and return of certain civilians, placed in captivity long before that army or the government to which it belongs had an existence, must be considered a novel proceeding. To seize Spanish citizens, whatever their offenses, and hold them as prisoners of war to compel certain action by the Vatican of Rome is most assuredly indefensible under any circumstances.

The war doctrine of "retort" which you introduce in your argument can not be applied, and you certainly do not wish to be understood as contending that you would be justified in shooting friars, whom you hold as prisoners of war, simply because Spanish subjects tried and convicted under the forms of law were executed, etc.

As stated, this answer was not served, as I had been reliably informed that Aguinaldo contemplated, or had promised influential Filipinos to release the minor civil officials, but that the temper of the people was such that he could not let go the members of the religious orders held in captivity. I also had an impression that he would not keep his reported promise with regard to the Spanish officials, but intended to hold them for certain purposes, the chiefest of which were to secure large money considerations and European action tending to the recognition of his government. I therefore informed the War Department that efforts to obtain the release of the Spanish clergy were unavailing. The course which has since been pursued by the insurgent authorities has confirmed the correctness of the impressions which were received at that time.

The general allusions made in former portions of this report to the action taken by the United States authorities which the private rights of or the former privileges and obligations enjoyed by or imposed upon the inhabitants while under Spanish administration, do not show the true significance of that action in many essential particulars.

Manila is the capital of territory having seven or eight millions of people. The different islands and in some instances the different provinces of the same island are dependent upon each other for the necessities of life. Certain sections of the country confine their industries for the most part to the cultivation of rice, others to tobacco, or to hemp or sugar, or the raising of live stock, and exchanging these products in a great degree for articles of consumption or other necessities, which are conveyed in light-draft vessels to the numerous

towns and villages which are situated on the 5,000 miles or more of island coast. The hemp, sugar, and tobacco districts must have rice, and that in kind becomes the medium of exchange for their products. Little money is used or needed. The merchants of these towns and villages receive the principal product of the district for the merchandise sold to the inhabitants and barter the products of other districts for it. The great center of the island trade is Manila, and trade is controlled and conducted mostly by Europeans—the Chinamen, however, looking carefully after its retail features. The closing of the port of Manila, or a radical change in the restrictions or regulations under which this trade is carried on, would seriously affect the inhabitants of the islands, and the business interests of the large merchants who are also the exporters of the native products.

Under present social conditions as affected by the special industries of particular sections, it is possible, by completely interdicting interisland commerce, to reduce to great individual suffering the mass of the inhabitants, as well as to seriously impair the large European or foreign business capital which has been invested here for commercial purposes. As has been stated, the surrender of Manila threw into the possession of the United States for control, not only the municipal affairs of the city, but the commerce, the shipping, and a large share of the trade revenues of the Philippines, with power to modify at its pleasure the regulations by which that trade has been conducted. The orders of the President wisely directed in effect a continuance of late prevailing customs duties, with very slight modifications, and the public interests demand that relief should be extended to the people of the islands through the resumption of trade. These modifications, however, slight as they were and unavoidable under the circumstances, were the sources of grievances on the part of individual merchants, which they presented through the consuls of their governments or in person. The least change in the former tariff schedule affected those who were stocked or those who wished to import merchandise, and gave competitors unfair advantages. Many had bought goods in Spain at high market rates for the purpose of securing the Spanish trade privileges on home products, and were unable to have delivery made in Manila on account of the war. They therefore asked to have the Spanish trade privileges extended to these special goods to avoid the great pecuniary loss which they must otherwise suffer. Repeated requests of this character occasioned a great deal of correspondence, and the concession of September 29 was thereupon granted, which was to the effect that all such goods as might be entered prior to November 10, the date which the amended tariff regulations were to go into effect, might, upon due proof of facts, be admitted under the old Spanish customs rules. Even this concession did not meet the merchants' demands, and they contended for a longer time in which to present their goods, but had to be denied after fruitless argument by both parties in interest.

The United States had not only assumed charge of the customs regulations of the islands, but also of all fiscal matters. General Greene, and subsequently General Whittier, was appointed to the position of intendente general de hacienda, which was really the office of the colonial minister of finance, and although their duties were limited in orders to "the supervision of the fiscal affairs of the government of Manila," they were obliged to consider those of a general character quite extensively, such as importation and internal revenue. The colonial treasury had been surrendered, and its administration



involved questions of local and general import. The funds of both the city, the island, the peninsular government, the money deposits of private individuals guaranteeing faithful performance of local and other contracts were merged beyond possibility of segregation. The laws, however, could not be considered to impose obligations upon any of the inhabitants of the islands living outside of territory in the rightful possession of the United States, however they might be applied to residents of Manila. There was a dual occupation of this office of intendente general, as Spanish officials still considered those fiscal matters which related to the business of the islands in which Manila was not concerned. To avoid unnecessary complications and also to simplify administration, the office was placed in temporary suspension and all fiscal matters supervised from the office of the military governor. The bureau of internal revenue, like the customs, as soon as taken possession of by the United States officers, presented perplexing questions. The sources of revenue and the proper administration of funds depended upon numerous Spanish decrees extending over a long period of years. It received moneys which belonged to the funds of the city, executed the stamp laws, the industrial tax regulations, and looked after the issuing of personal cédulas to the inhabitants of the islands, etc. As soon as the office was established the residents of the city began to tender the periodical payments. The question as to what character of taxes should be collected by the United States came up for consideration. Back taxes were paid in and refundments or credits on prior payments requested. In answer to questions submitted by the collector of internal revenue, the following specific instructions were given and show the nature of the difficulties presented.

OFFICE OF THE MILITARY SECRETARY,  
Manila, P. I., September 15, 1898.

Maj. R. B. C. BEMENT, U. S. V..

*Collector of Internal Revenue, Manila, P. I.*

SIR: I am directed by the military governor to acknowledge the receipt of your letters of September 14, with inclosed exhibit of cash received by you since the 26th ultimo. He directs me to say, in answer to your question as to whether you shall receive the railroad tax or not, that he is not convinced that the United States Government has the right to collect it. It was a tax imposed by the general Spanish Philippine Government for services performed in the island of Luzon.

The United States have rightful occupation of the city of Manila and its defenses only. Under the prevailing armistice they have no right to impose taxes for services performed in any other part of the world. This tax, being a provincial or colonial tax, makes it doubtful if it comes within the taxes which can be paid to the present authorities of the city of Manila. The Spanish governor stationed at Iloilo, who has jurisdiction over all portions of the Philippine Islands not in the actual rightful possession of the United States, might be able to raise a good legal point should we accept this railroad tax. Further consideration will be given to the question.

The military governor directs me further to say that as regards our right to issue the old personal cédula he is also in doubt, as he is not aware what privileges it conferred upon the person to whom it was granted; that he has been told that it was in the nature of a passport, permitting the holder to journey in all portions of the islands. Such authority the United States can not give, so that any cédula issued by us would not be of value to the party to whom issued. It would merely be evidence of personal identification giving the right to remain in and travel about the city of Manila or through the territory over which the United States holds sway. If he is incorrect in his impressions please inform him.

For these and other reasons (one of which is the dislike exhibited by the inhabitants to the cédula tax) he has not thought it consistent with good policy to issue the cédula.

Very respectfully,

HENRY C. CABELL,  
*Military Secretary.*

OFFICE OF THE MILITARY SECRETARY,  
*Manila, P. I., September 21, 1898.*

Maj. R. B. C. BEMENT, U. S. V.,

*Collector of Customs and Internal Revenue, Manila, P. I.*

SIR: I am directed to acknowledge the receipt of your communication of the 19th instant with inclosures (the inclosures I herewith return), and to state in reply that the only policy which can be pursued under the present American administration of this city is to refuse to consider all claims which were pending, treating them as claims against the Spanish Government, in which we are not interested. As a consequence of this policy we must, to be consistent, ignore all debts due to the Spanish Government prior to occupancy, whether in the nature of taxes or otherwise. We retain all moneys and securities found in the Spanish treasury at the inception of occupation as the property of the public enemy and do not acknowledge the validity of any liens which the former subjects of Spain (whose status is at present that of Spanish citizens with citizenship held in abeyance) may submit for requested adjustment. In pursuance of that policy the answer to the first question submitted by you must be, "Yes: only received taxes which have accrued since August 13."

The answer to the second question is, "Yes: refund taxes for the portion of the quarters prior to August 13 and retain taxes which have accrued since that date."

To the third question the answer is, "No." Parties who have paid taxes to the Spanish Government may possibly have a claim against the Spanish Government, but certainly not against the United States Government. Money in the treasury at the time it was surrendered to the United States is public money and can not be returned in liquidation of Spanish indebtedness, whatever the nature of that indebtedness.

You will not make any refundments in any instance except from money actually received by you.

To the fourth question the answer is contained in answers already made.

The fifth query is met in the second answer.

To be plain, the collector of internal revenue should refund only from money received by him. Money covered into the Spanish treasury by Spanish officials for whatever purpose, or from whatever source, must remain there.

By command of Major-General Otis:

HENRY C. CABELL, *Military Secretary.*

Inquiries were continually being presented from this department of public affairs, which necessitated the labor of discovering and translating a great many Spanish decrees by which the department was affected. The question of issuing the cedula, from which an annual revenue amounting to \$4,000,000 had been received, and which was one of the chief grievances presented by the Filipinos against the Spanish Government because of its cost, was long considered, and was finally requested by the inhabitants, as it furnished the simplest means of personal identification, provided it could be given for a money consideration not burdensome. It was therefore issued to applicants, numbering over 60,000, at a rate sufficient to pay all the expenses connected with the issuing of the same. It was eagerly sought by the people and was a source of great satisfaction. This department, too, was so closely connected with the administration of strictly municipal affairs (since it collected a considerable share of the city revenue) as to present complications. The city revenue came from more than twenty different sources, including urban taxes collected at the office of internal revenue, 10 per cent of the amounts collected for port, harbor, and light dues, etc.

Until 1894 the municipality, strictly speaking, consisted of the walled town, and was then extended to embrace the adjacent surrounding villages, such as Ermita, Malate, Binondo, and others, which had previously been granted a certain abridged independent control of its public affairs. The royal decree of January, 1894, under which this change was brought about, pretended to recognize to a certain extent the clannish or tribal, or rather family, hereditary customs which enter into the public affairs of all Filipino village communities, but

had little weight in the formation of the new government. The entire city was divided into eleven districts, and a considerable number of the city officers were made elective under stringent ballot regulations.

The Governor-General, however, appointed to the most responsible positions, and had the power of absolute veto on all actions of the municipal council, so that in fact the city continued to be, as formerly, under quasi-military administration. Should the prescribed sources of revenue fail to furnish the necessary public funds, the council might seek others from which to draw, and upon approval of its recommendations by the Governor-General that certain new features of taxation be introduced, they were at once applied. A reestablishment of this so-called city government by the United States was an impossibility, even if the spirit of the inhabitants had made it prudent. Therefore complete control of not only the police of the city, but of all its municipal affairs was entrusted to the provost-marshal-general. He was directed to deposit in the general treasury, as was also the officer of internal revenue, all funds received from any source whatsoever and to draw on the public treasury for moneys to cover the necessary city expenditures. The accompanying reports of the provost-marshal-general and the collector of internal revenue explain the constitution and workings of these respective departments.

The subject of Chinese immigration had to be considered very soon after occupation. Many of this class of inhabitants had retired to China during the three years of political agitation which had preceded the surrender of Manila. Now, when the United States took possession and a more stable government was predicted, they sought to return. Large numbers, too, who had never resided in the Philippines endeavored to enter, in order to take advantage of the reviving trade facilities anticipated. Notwithstanding the many thousands who had permanently settled in the islands, who, as residents, were conducting large business enterprises, a great share of the retail trade in the larger cities, the minor exchanges in merchandise carried on between the outlying towns and villages, and who were extensively employed to perform the more arduous and exhausting kinds of manual labor; notwithstanding the very marked strain of Chinese blood noticeable in a fair proportion of the native inhabitants, showing considerable consanguineous relationships, the old hereditary race prejudice was still active and continually manifested itself in illegal and oftentimes bloody demonstrations.

The Filipino is by nature an agriculturist; the Chinaman a trader not burdened by a troublesome conscience when seeking the profits of traffic. The former is more or less indolent in normal conditions. The latter is ever on the alert for individual pecuniary gain, is more than a match for the Filipino when any business relationship is established between them and is apt to pay for the advantages he acquires by subsequent robbery and oftentimes murder. Pursuing his avocation through the country as an insignificant trader carrying his pack of goods, he is considered by the more unruly classes of Filipinos as a desirable object for sequestration and often disappears forever by some means unknown to relatives and friends. Still, he persistently confronts all these personal dangers, obedient to his mastering desire to acquire money. Under Spanish rule the Chinese residents controlled the opium trade, secured the greater share of the profits from legalized gambling which was extensively prosecuted throughout the islands, were the winners in lawful raffling, and were close seconds to the Filipinos in the business enterprises attending the licensed occupation of cockfighting.

Not only was this active race enmity and the unfortunate existing conditions which were more or less its consequences giving trouble, but the Chinamen themselves were divided into warring factions. By the larger faction the acting Chinese consul was accused of taking advantage of his consular powers by exacting payments of money for his individual profit. The consul thereupon asked permission to discipline his refractory countrymen and to deport in his discretion those whom he might discover to belong to the criminal classes.

After due consideration of the perplexing questions which presented themselves upon the opening of the port of Manila in this matter of Chinese immigration, the conclusion was reached that the application of the United States statutes controlling such immigration to United States territory furnished the best solution, and therefore within the month succeeding our occupation the following instructions were issued:

The laws of the United States, which prohibit the entrance of Chinese, will be enforced here.

The exceptions are:

Chinese laborers, skilled or unskilled, formerly resident in Manila and temporarily absent therefrom, will be allowed to return upon proper proof of such previous residence, which may be made by presentation of a Spanish cedula or certificate of the American consul, of the port from which the returning Chinese have sailed.

The closest scrutiny of such cedulas and certificates is enjoined, and in doubtful cases the collector of this port will require them to be supported by additional proof, and no Chinaman, of whatever nationality, will be permitted by him to land except upon conclusive proof of previous residence.

There will be exempted from the above restrictions the parties named in article 3 of the convention between the United States of America and the Empire of China, published in supplement to the Revised Statutes of the United States, volume 2, pages 153-7, to wit: Chinese officials, teachers, students, merchants, or travelers for curiosity or pleasure. The coming of these classes of Chinese will be permitted upon the production of a certificate from their Government or the government where they last resided, vised by the diplomatic or consular representative of the United States in the country or port whence they depart, supplemented by such further proof as is required in section 6 of an act of Congress, approved July 5, 1884.

All Chinese entering this port shall register at the office of the Chinese consul or consular agent.

It is also directed that the following regulations shall govern the return to this port of Chinese laborers, skilled or unskilled, residents of Manila, who leave this port after this date.

Every such Chinese laborer will, before his departure from this port, report to the collector of customs or his deputy, who will enter in a registry, to be kept for that purpose, the name of such laborer, his age, occupation, physical marks or peculiarities, and such other facts as may be deemed necessary for the purpose of identification.

Said collector or his deputy will furnish to every such departing Chinese laborer a certificate to be signed by said collector or his deputy, which certificate shall set forth all the facts shown by the registry book above mentioned, corresponding with said registry in all particulars.

The certificate herein provided for shall entitle such Chinese laborer to whom the same is issued to return and reenter this port upon producing and delivering the same to the collector of customs of said port, and said certificate shall be the only evidence permissible to establish his right to reentry, but said certificate may be controverted and the facts therein disproved by the United States authorities. Upon delivering such certificate by such Chinese laborer to the collector of customs at the time of reentry into this port said collector shall cause the same to be filed in the custom-house and duly canceled.

These instructions are still practiced substantially—the only modifications made consisting in methods of application—and the orders which have been issued by the War Department since their date have confirmed them. The action taken by the United States and Chinese governments in changing the consular representative of the latter has

resulted in quieting very materially the complaints of the resident Chinese against each other, although an occasional one is submitted. The conditions of these residents and their evident interest in a stable government to enable them to practice their natural trading propensities, also the utter absence of any patriotic sentiment by which they could possibly be animated, renders the conduct of many of them anomalous. Within our military lines they are ardent friends of the Americans, and, beyond, a good many are apparently active insurgents. They fill subordinate positions in the insurgent army, and one of the ablest insurgent general officers is a Chinaman, but his chief occupation appears to be to look carefully after the finances within the territory of his sphere of action. They have performed a great deal of the vast amount of manual labor expended in the construction of the insurgent intrenchments which are encountered by our army wherever it is called upon to operate, but under impressment, doubtless, as they seize every opportunity to escape insurgent domination, provided they are not restrained by their individual property interests.

Allusion is made in a former portion of this report to the difficulties encountered in reestablishing satisfactory civil tribunals. It is there asserted that "the civil court justices vacated their positions and gradually sailed for Spain without giving notice of their intention to depart." Before this happened there had been a few interesting incidents connected with the opening of the courts by the Spanish judges without previous consultation with the military authorities, which excited the inhabitants of the city, who submitted strong protests. The provost-marshal-general therefore was directed to close the minor civil tribunals and the court of the first instance—a court with jurisdiction coextensive with the territorial limits of a province. There was also in session the court of the *audiencia*, or the supreme court of the islands, having appellate jurisdiction exclusively. The chief justice, whose court was empowered by Spanish decree to sit in the city of Manila only, claimed the right to hold court and to at least administer upon cases affecting inhabitants not resident in the city, independent of United States authority, and also argued its right to determine cases, both civil and criminal, which were pending on appeal prior to United States occupation. In submitting his request or demand, he asked for a personal interview, and the following reply was returned:

OFFICE OF THE MILITARY GOVERNOR,  
*Manila, P. I., September 25, 1898.*

Hon. SERVANDO F. VICTORIA.

*Chief Justice of the Supreme Court of the Philippines.*

SIR: I have the honor to acknowledge the receipt of your communication of the 21st instant, a translation of which is now before me. Replying thereto, I beg to inform your honor that so much of your communication as is devoted to the discussion of the question of continuance under military government, such as has been established in the city of Manila by the United States, of the local courts of the country and of the civil laws (municipal), has received the consideration which its importance merits, and to say further that the views expressed by you in the main have my concurrence.

But while it is true, as pointed out by your honor, that under the conditions noted the generally accepted rule under international law is that all civil law continues to take its usual course in places and territory under military government, and is usually administered by the ordinary tribunals substantially as before the establishment of the military government; it is likewise true, and I am sure will be admitted by your honor, that these laws continue in force and the local courts continue in the exercise of their jurisdiction only with the sanction of the occupying belligerent, which may, for cause deemed sufficient by it, suspend the same or wholly supersede them. Upon the establishment of military government at this place, it was decreed by my predecessor that "municipal laws (the term 'municipi-

pal laws' being used in its broader sense and in contradistinction to the term 'international law'), such as affect private rights of persons and property, regulate local institutions, and provide for the punishment of crime, shall be considered as continuing in force so far as compatible with the purposes of military government, and that they be administered through the ordinary tribunals substantially as before occupation, but by officers appointed by the government of occupation." (See paragraph 3 of proclamation dated August 14, 1898.)

The effect of this provision was to suspend operation of your court, and other courts of subordinate jurisdiction sitting at Manila, until reorganized in accordance with its requirements, and it is not understood how this unequivocal language could be misunderstood.

I am informed that the provision of the proclamation above quoted was inserted after mature deliberation, and that there was understood to exist a necessity for the restriction placed upon the exercise of jurisdiction by your honor's court, and by the subordinate courts heretofore referred to, in the then condition of the public mind toward these tribunals.

Whether it is now necessary to continue the restrictions heretofore placed upon the operations of the courts named is a question which I have at present under consideration. The assurance contained in your letter to the effect that the supreme court presided over by you and the subordinate courts "considered themselves obliged to cooperate with their continual functions to the better realization of a service which the army of occupation of your excellency's command took charge of," is a most important consideration in relieving me of such doubts as have arisen. I am very desirous that the judiciary shall resume its customary jurisdiction, provided that adequate assurance can be had that the exercise of such jurisdiction shall not in any way tend to defeat or obstruct the operations of the established government and will not result in a widespread discontent and dissatisfaction among the great majority of the people subject to the military government, thereby creating greater difficulties and hardships than those pointed out in your communication, and which it is your desire as well as my own to mitigate.

I beg to assure you that the questions raised by you shall have my earnest attention, and to the end that a complete understanding may be brought about and the purpose we both have in view may be advanced as rapidly as possible, I shall be pleased to appoint an interview with you in my office when informed of the time that will be most convenient for your honor to respond to such an invitation.

Very respectfully, your obedient servant,

E. S. OTIS,

*Major-General, U. S. V., Military Governor.*

Several conferences followed, also interviews with leading Filipino lawyers, and the result was the order of October 7, set out in a former portion of this report, by which the courts were permitted to resume the exercise of all civil jurisdiction conferred by Spanish laws, but not criminal jurisdiction of any nature. The permitted use of these abridged functions was not satisfactory to the Spanish judges, and their courts were gradually closed, depriving citizens of temporary legal process in their business transactions, which in a few instances was desired, except in so far as they obtained remedy through the military governor's office.

All citizens charged with crimes and misdemeanors were in the meantime brought before military commissions and provost courts, which were occasionally instructed, in order that they might meet varying conditions as occasion demanded. These military tribunals have worked very satisfactorily and have been acceptable to the inhabitants because of conceded just administration and celerity of action. Even now since the reestablishment of the civil courts they transact a large amount of business, as civil jurisdiction does "not extend to and include crimes and offenses committed by citizens of or persons sojourning within the Philippine Islands, which are prejudicial to military administration and discipline, except by authority specially conferred by the military governor."

The surrendered Spanish treasury, in which the deposit safes and

vaults had been carefully examined and contents correctly inventoried by a board of officers appointed for that purpose, the members of which returned thereto all former contents and securely sealed the same to await the determination of the question of rightful possession of contents, gave a good deal of annoyance on account of the numerous applications of private individuals for the return to them of money, bonds, or other securities which they had deposited voluntarily as investments or in exchange for Spanish bonds never received, or to guarantee the specific performance of contracts which they had entered into with the city and provisional governments. The treasury books showed many special individual deposits in money and many special deposits of bonds, some of which were properly designated when placed in the Spanish vaults, so that ownership could be readily determined. The money which individuals claimed that they had deposited, if received and retained, had been merged into the general fund, and together with the claimed bonds would have exceeded in amount probably all the money and paper securities which the treasury contained. The correspondence between these individuals and the military authorities was voluminous. The conclusions reached are shown in the following communications:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., October 6, 1898.*

Mr. JOSE DE GURENA,

*Attorney for Dr. Francisco Sainz, Manila, P. I.*

SIR: The military governor directs me to acknowledge the receipt of your communication of a few days since (which is apparently without date), in which you request the return to your client of certain moneys deposited by him in the Spanish treasury at Manila, etc., which were to be held in trust by the Spanish Government as security for the specific performance of certain contracts which he had entered into with the Government of that country.

In reply, I am directed to return the copies of contracts submitted by you and to state that your client appears to have a claim against the Spanish Government for moneys deposited, but none against the Government of the United States.

All funds which came into the possession of the United States upon the surrender of the city of Manila and its defenses on August 13 last, were surrendered as public funds, and were turned over to the United States under articles of capitulation requiring that "all funds in the Spanish treasury and all public funds shall be turned over to the authorities of the United States." As you are evidently aware, there is no requirement of international law to the effect that funds, the title of which is vested in the United States by capture, shall be distributed among such persons as have pecuniary claims against the country from which the funds were captured. The contracts made by and between your client and the Spanish Government evidently rest in suspension by reason of "the act of the public enemy," and may be revived in full force upon the cessation of United States military occupation and return of the territory occupied to Spain. The military government holds as a legal proposition that a Spanish subject (with citizenship in temporary abeyance) can not have, either in equity or law, a lien upon moneys surrendered by the Spanish Government as its public funds. They came into the possession of the United States wholly unincumbered and title passed to my Government with possession.

Very respectfully,

HENRY C. CABELL,  
*Military Secretary.*

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., September 19, 1899.*

Messrs. R. AENLLE & Co.,  
*46 Magallanes street, Manila.*

GENTLEMEN: In reply to your communication of the 9th instant, the military governor directs me to state that investigation shows that the bonds you mention in the communication are in the possession of the present custodian of the Spanish

public funds, and that they can not be delivered at the present time for the following reasons, viz:

That they concern a contract entered into by Spanish authorities and a subject of Spain; that all obligations of such a nature, and all rights under them, are suspended during the existence of war between the dominion of Spain and the United States Government, and remain in suspension until the final declaration of peace between those two countries.

That the military government of the United States established in Manila is not under any obligations to recognize in any way formerly existing regulations between Spain and its subjects, whether arising under contract or otherwise.

That it is not the duty of that government, and it might be said its right, to attempt to adjust claims of such a character. They remain in abeyance, and are revived upon the declaration of peace.

Very respectfully, yours,

HENRY C. CABELL,  
*Military Secretary.*

In answer to individual requests for the return of voluntary bond deposits, which could be identified and ownership established by marks and designations accompanying these special deposits, applicants were informed that they must await the unsealing of the safes, which could not be done until some settlement of American and Spanish interests should be arrived at. The result has been that the money deposits merged into the general fund have not been recognized as creating any obligation against the United States Government, which received this entire fund as the public money of Spain; that the recognized special deposits have been returned to the individual owners, under the supervision of the United States and Spanish boards of liquidation, which were appointed several months since to settle the respective interests of those Governments under the provisions of the late Paris treaty.

There was another class of cases which for a brief period constantly obtruded themselves and which involved long-continued study and careful consideration. They arose upon the applications of individuals for the return to them of their estates embargoed by the Spanish authorities during the recent rebellion. The estates of many Filipinos who were charged with treason were taken possession of and administered upon by Spanish officials. After the United States had taken Manila, present and returning residents who had suffered from this cause sought the restoration of their properties. The case of the Cortes Filipino family, which had taken refuge in Hongkong, was pushed for determination before the Manila military authorities with all the vigor of demonstration of which the members of that family and the United States consuls at Hongkong and Manila were capable. These embargoes affected individual real properties, a portion of which might be situated in the city, a part in some other locality under Spanish domination, and such was the condition of the Cortes estate. A conclusion was finally reached on the facts presented and rendered in the following expressed opinion, of date November 25:

That the present United States military occupation of a portion of the Philippine Islands, under and by virtue of the armistice existing between the Governments of the United States and Spain, is of a temporary character and does not place upon the former any obligations to redress or even inquire into alleged grievances imposed by the latter while dominant here upon its subjects, especially if such allegations are submitted by those subjects and concern only their individual property rights; that the United States, under its temporary occupancy and the conditions which prevail, would not be justified in setting aside the laws of Spain and the decisions of its courts when individual property rights are alone concerned, not even in matters arising under its war decrees promulgated for the correction, or the punishment it may be, of its refractory subjects participating in a formidable rebellion with intention to destroy its sovereign power; that the



relief asked for by the petitioners is civil in its nature and should be sought in the civil courts of the conquered, which have been continued and are permitted to exercise their formerly conferred civil jurisdiction in all matters not involving arrests of persons and criminal prosecution, and therefore the case does not concern the military administration, specially constituted for other purposes; that the case involves a question of United States revenue, since the petitioners demand a return to them as Spanish subjects of the public property of Spain as declared by its authorities to which the United States has succeeded and which it has the legal right to receive and enjoy, for I ascertain by reference to the Spanish military code that the effect of the declared embargo of the property of the petitioners and the proceedings taken under it was to vest the uses and profits of the embargoed estates in the Spanish Government while the embargo continued—title to the same remaining in the individual owners from whom possession was taken.

The active continuance of the embargo was made to depend upon pardon or the result of trial by the Spanish courts upon the charge of treason, rebellion, or sedition, confiscation attending conviction and sentence and restoration following acquittal. During the existence of the embargo the real property affected was apparently held in trust by the Spanish Government for its sole use and benefit, with remainder vested in parties formerly holding the unqualified fee, and dependent upon a contingency involving due conviction of the crime of disloyalty to that government. These conclusions are supported by explanatory provisions contained in a decree issued by the governor-general on January 19, 1897, wherein it was declared that in the case "of an absent culprit presenting himself and being acquitted by the court, he will only have a right to claim a return of the property not alienated and to the rents and profits which have not been applied." Finally, it is concluded that the United States Government during its occupancy under its truce with Spain, which provides only for a temporary cessation of hostilities, would be recreant to its trust should it knowingly divert, without just cause arising under the laws of war, properties the uses of which would again inure to the dominion of Spain upon a return of Spanish sovereignty. Declared permanent possession by the United States would modify conditions and present the entire question in a different aspect, for then the rights of all concerned, whether dependent upon treaty obligations or otherwise, would be defined or become easy of interpretation.

It was therefore ordered that the provost-marshal-general seize all funds of the Cortez estate on deposit in the local banks, take forcible possession of all the real properties belonging to that estate which were situated in the city of Manila, and administer the same for the use and benefit of the United States Government. These conclusions arrived at, which were fully justified by the facts, enabled the United States authorities to take legal possession, temporarily at least, of not only the realty but also the personality of the estate which Spain held, and which belonged to the public properties she had promised to surrender under the articles of capitulation. The provost-marshal-general took possession of the estate as directed, accounted for the proceeds received while he held possession, and finally, under the instructions of the War Department, turned estate, with all proceeds, over to the owners. This case served as a precedent for future proceedings upon questions of embargo, although in cases of minor importance embargoed property was at once turned over to the claimant upon due proof of right to receive it.

Until October 14 the United States troops in the Philippines remained stationed at Manila and Cavite, as provided in General Merritt's orders of August 23, with very slight exceptions, Major-General Anderson retaining supervision of the district of Cavite and Major-General MacArthur of the troops stationed in Manila, the three organizations composing the provost guard continuing, however, under the control of Brigadier-General Hughes.

They were most bountifully supplied with subsistence and medicines, but light clothing suited to the climate and facilities necessary

for occupying and messing in barracks were needed. These were soon obtained through contract and purchase from the merchants of Hongkong and Manila and by shipment from the United States. The troops received tactical instructions daily, but the weather was too hot for much physical exertion, and time hung heavily upon them. They entertained the impression that the Spanish war had terminated, and the volunteers appeared to believe that they should be recalled to the United States at once and regular troops sent out to perform the monotonous garrison duties which were about to follow the victory of Manila. Many became ill from too free indulgence in the fruits and manufactured drinks of the country, and indifference to that care and attention of person which a tropical climate makes necessary. Homesickness alone produced illness in numerous cases, so that early in September the hospitals began to be rapidly filled. This led to the adoption of judicious precautionary measures. Aguinaldo was faithfully executing his agreement made with General Merritt with regard to water privileges and the city waterworks, which was to permit us to use the pumping station situated 8 miles from the walled city, provided we would pay the men of his selection for running it and defray all the necessary expenditures. This we were faithfully doing, but the water secured was not of desired quality and boiling and distilling were resorted to. Circular instructions prepared by the Medical Department, warning men of the results of injudicious action, were issued from headquarters, and all sanitary measures possible were adopted.

The sick rate, however, increased. On September 4 one hundred and thirteen sick soldiers were shipped to the United States, as their restoration to health in this climate was extremely improbable, and more followed. The percent of sickness to numerical strength in some organizations rose to 20, and in two or three organizations to 30, while in others it did not exceed 6 or 8, although the latter were no better housed nor provided for than the former; but the men of the latter were, without doubt, better supervised and watched over by their officers and were measurably contented with conditions. As long as the practice of sending sick men home continued there was no improvement in the sick rate, but as soon as the convalescent hospital was established on Corregidor Island (an island at the entrance of Manila Bay) and the sick sent there for treatment a marked change for the better was apparent. In November improvement was noticeable, and in January the health of this army would compare favorably with those of any concentrated army of like proportions in existence. To be sure the men had become by this time fairly acclimatized, and new troops arriving here will be obliged to pass through this period of acclimatization before they become properly efficient for prolonged service in the field.

During my first weeks of duty here I was impressed with the spirit of suspicion and the partially concealed unfriendly feeling manifested by the Tagalos toward the American forces. That they either had very little confidence in our promises or were then forming conclusions to oppose any establishment of United States authority in Luzon was apparent, however loudly they might disclaim hostile intent or declare as an excuse for their attitude fear of the return of Spain. I saw, however, with satisfaction, their ablest men by education and mental equipment taking part in their authoritative deliberations, and I had considerable confidence in the efficacy of their suggestions and advice. Still, after carefully weighing conditions, I was unable to

arrive at any satisfactory conclusions. To a cable received on September 16, I replied on the next day as follows:

ADJUTANT-GENERAL ARMY, *Washington*:

Referring to telegram yesterday, now think prudence dictates increased force—this after deliberation on situation appearing to-day and possible developments. Force sufficient for present purposes, but contingencies may arise difficult to meet. Parties plotting constantly to convey erroneous impressions and excite insurgents. Demands of city government and sick list draw heavily on armed organizations. An additional 5,000 men could be used to supply losses and give greater confidence. Battalions of Eighteenth and Twenty-third Infantry, still in San Francisco, should join at once.

Measures were being applied constantly to improve the sanitary condition of the city, to increase the efficiency of the troops, and to meet any emergency which might develop from an uprising of the inhabitants, or from hasty action by any portion of our or the insurgent forces, which, though maintaining amicable intercourse, were, in fact, in an attitude of resistance and hostility upon all questions involving the right of armed occupation of the suburbs and defenses of Manila. The insurgent soldiers had looted extensively the portions of the city to which they gained access, and were greatly disappointed that this privilege over other parts of the same was not accorded them. Their enforced withdrawal to outer lines was the cause of discontent, and augmented any desire which they may have formerly entertained to resist or attack the American troops. This growing discontent was observable among the lower classes of the city's inhabitants, from whom a considerable share of Aguinaldo's army was drawn, and was undoubtedly increased by the reprehensible conduct and illegal actions of some of our own men, who were severely punished for their misdeeds when detected. Outwardly, however, relations of the most friendly character were maintained. The officers and enlisted men of the two armies mingled in friendly social intercourse. To the casual observer the only discordant element in this dense complex population, made up of every nation and tongue in existence, were the hated Spanish prisoners, whom the Filipinos still longed to persecute and kill, and who were obliged to keep within the walls of Old Manila for safety.

Repeated conferences were held with influential insurgents, whose chief aim appeared to be to obtain some authoritative expression on the intent of the United States with regard to the Philippines, and complained that they were unable to discover anyone who could speak *ex cathedra*. They asserted that their Malolos arrangement was a government *de facto*, which had the right to ask an expression of intent from the United States Government.

To increase and better organize the force in Manila, the following orders were issued on October 14:

The troops comprising this command, with the exception of the Twenty-third U. S. Infantry, Thirteenth Minnesota, and Second Oregon Regiments of volunteer infantry, which will continue to constitute the guard and police force of the provost-marshal general of the city, the Eighteenth U. S. Infantry, and the detachment of California Volunteer Heavy Artillery, which will compose the permanent garrison of Cavite, are organized into two divisions, designated as First and Second Divisions of the Eighth Army Corps, each to consist of two brigades.

The following designated troops, now quartered and to be quartered in the city south of the Pasig River, will form the First Division:

- Six troops of the Fourth U. S. Cavalry.
- Light Batteries D and G, Sixth U. S. Artillery.
- The Astor Battery.
- Fourteenth U. S. Infantry.
- First California Volunteer Infantry.
- First Idaho Volunteer Infantry.
- First North Dakota Volunteer Infantry.
- Battalion First Wyoming Volunteer Infantry.

The following organizations north of the Pasig River will compose the Second Division:

- Company A, Battalion of Engineers.
- Four batteries Third U. S. Artillery.
- Batteries A and B, Utah Volunteer Light Artillery.
- First Colorado Volunteer Infantry.
- First Montana Volunteer Infantry.
- First Nebraska Volunteer Infantry.
- Tenth Pennsylvania Volunteer Infantry.
- First South Dakota Volunteer Infantry.

Troops expected to arrive from San Francisco soon will be assigned to these divisions when numerical strength and facilities for quartering will be considered.

For the purpose of enforcing discipline through general court-martial proceedings, together with appropriate action to be taken to that end, the First and Eighteenth Companies, Volunteer Signal Corps, are attached to the First, and the Hospital Corps, U. S. A., to the Second Division.

Maj. Gen. T. M. Anderson, U. S. V., is assigned to the command of the First Division, and Maj. Gen. Arthur MacArthur, U. S. V., to the command of the Second. They will submit as soon as practicable the proposed organization of brigades of their commands.

Brig. Gen. Charles King and Samuel Ovenshine, U. S. V., are assigned for duty with the First Division, and Brig. Gen. H. G. Otis and Irving Hale, U. S. V., to the Second Division. They will report in person to the commanding generals of their respective divisions for assignment to brigade commands (General King, expected to arrive soon, so reporting upon arrival).

Officers now serving on the staffs of general officers under proper orders will continue on such service. The chief quartermaster and chief commissary of the command will nominate officers of their respective departments for assignment as division and brigade quartermasters and commissaries, being mindful of assignments in those capacities which have already been made. The chief surgeon of the command will nominate officers of the Medical Department for assignment as chief surgeons of divisions.

The organized divisions had little exacting duty to perform, as the provost-marshal-general with his guard of three regiments was held responsible for the preservation of order within the more thickly populated portions of the city. Division commanders looked carefully after the health, practical instruction and personal conduct of their men, prescribed drills and practiced ceremonies, and watched by means of small outposts the armed insurgents to the number of six or eight thousand, who maintained a warlike attitude on the outer lines. The Army Regulations, appropriate to peace conditions, were enforced in matters of examinations, courts, boards, returns, reports, and correspondence. Barracks, quarters, messing facilities, and sanitary surroundings were improved, and in so far as strictly military operations were concerned the passing period was devoid of excitement or apparent importance. In answer to request to make a statement in regard to the welfare of the troops, I remarked, on November 19, that since August none had arrived except absent members of and recruits for organizations which had preceded them; that the fifth expedition left San Francisco between the 19th of October and the 8th of November and its advance was expected daily, and continued as follows:

The medical department of the corps has always been well supplied with medical stores. There has been a shortage of medical officers which has been fairly well met through contract physicians. Now we are abundantly supplied with medical stores and hospital buildings, though medical officers have been overworked. The sick report to-day is about 12 per cent of the command; that of the British army in this latitude is about 10 per cent. The most of our sickness is of a mild type, and the health of the troops is now markedly improved. The total number of deaths of the command since leaving San Francisco is 161, or a little more than 1 per cent. Of these deaths 54 were due to typhoid fever, 25 to wounds received in battle, 7 to accident, 13 to dysentery, and 13 to smallpox. This number of deaths among 15,000 men, covering a period of several months, is surprisingly light.

In the matter of subsistence the troops have never suffered. They have been supplied with abundant rations, better even than any body of men I ever had association with. There is to-day well stored in this city subsistence for 17,000 men for

four months. Also large supplies for sale to officers and men, all of which are in excellent condition. In addition to the regular issues 30 cents per day is given to each organization for every man reported ill with which to buy delicacies needed by the sick. Doubtless troops have suffered somewhat because of their lack of knowledge to properly prepare their food, but all with former experience such as our Regular regiments are acquiring additional regimental funds. The command is now fairly well supplied with all needful quartermaster's articles excepting wagon transportation. The volunteers are still armed with the old Springfield rifle, but steps have been taken to supply the most reliable of them with the Krag-Jorgensen and smokeless ammunition.

No one can tell what duties these troops may be called upon to perform. It is more than probable, should the islands be retained by the United States, that they will be kept exceedingly busy establishing United States authority and maintaining a fair degree of order. In casting over all the difficulties which have been met in transporting these soldiers, composed mostly of raw material, over 7,000 miles of water and placing them here in good condition and well supplied, results must be considered as quite satisfactory. Nothing of the kind had ever before been attempted and no previous preparation had been made.

On November 21 and 25 the absent battalions of the Eighteenth and Twenty-third Infantry arrived.

Throughout that month, and a good portion of December, the troops remained quiet, their health steadily improving. On December 2 I cabled the Adjutant-General of the Army that the percentage of sick of the command, as reported on November 30, was  $10\frac{1}{6}\%$  as against  $12\frac{1}{2}\%$  for October 31; that the number of deaths was 26 as against 45 for October; that the sick rate was about the same as that among troops of other governments serving in tropical climates; that one-third of the sick were suffering from typhoid and malarial fevers; one-sixth from intestinal troubles, and that the remaining half of all ailments were slight in character. The only matters in which troops took special interest grew out of their speculations on the attitude and probable intentions of the insurgents.

On December 1 the United States transport *Indiana*, with headquarters and 2 battalions of the Kansas Volunteers arrived, followed on the 7th of that month by the transports *Newport* and *Pennsylvania* with other volunteer organizations. The volunteers, however, had grown weary of their service and many applied for their discharge on the plea that the Spanish war had terminated. They were firmly impressed with the belief that the future occupation of the United States Army in the islands would be confined to garrison duty, a belief that was shared by the older European residents and the abler natives of Manila, and they considered that such duty should be performed by regulars. My own confidence at this time in a satisfactory solution of the difficulties which confronted us may be gathered from a dispatch sent to Washington on December 7, wherein I stated that conditions were improving and that there were signs of revolutionary disintegration; that I had conferred with a number of the members of the revolutionary government and thought that the most of them would favor peaceful submission to United States authority. I had strong reasons for this expressed confidence from assurances made to me by some of the ablest Filipinos who had occupied positions of importance in the insurgent government and had signified their intention to withdraw from it. Had the volunteers then supposed that their services would soon be demanded to maintain the honor and integrity of their country they would willingly have awaited the emergency. But all official proceedings tended to give them the contrary impression. Returning transports were carrying back to San Francisco numbers of specially discharged men. On December 13 the Astor Battery was relieved from duty and directed to proceed to New York City. Its departure on the

16th of the month was followed soon by the sailing for home of one-third of the Nebraska regiment. Individual applications for discharge became numerous, and on December 15 I forwarded to the Adjutant-General of the Army the following communication:

I have the honor to forward herewith 427 applications from enlisted men of this command for their discharge from the service, some on specially stated grounds which require consideration, but for the most part on the plea that War Department orders entitle them to it. They refer to paragraph 2, General Orders No. 40, current series, and think that the present cessation of active hostilities between the United States and Spain is the "close of the war" within the meaning of that paragraph; hence these numerous individual applications which they consider the paragraph invited them to make.

Doubtless the end of the war awaits the proclamation of peace, and in these islands that day may be somewhat deferred.

The number of these applications indicates the desire of the enlisted men of the command to escape the country, and shows how difficult it is to hold them in conditions of contented discipline. Much of this desire to escape their military obligations at a time when their services are especially demanded arises from homesickness, and that fact accounts largely for the heavy percentum of sickness with which we have been afflicted.

Under present exigencies I am obliged to disapprove all of these applications.

But notwithstanding the desire to hold the volunteers as above expressed (and it was necessary to hold them or no army would remain), I continued to believe that we might overcome difficulties without resort to force, for, on December 22, in answer to an inquiry as to the truth of certain newspaper statements of that date which charged us with the commission of grave offenses, I cabled that Manila was never more quiet; that order prevailed and that the native population of the city had been greatly augmented within three months; that the criminal class was large, and that representatives of the same were arriving from the United States and Asiatic coasts, who were closely watched; that the conduct of the troops was good, to a degree in fact that it was subject of favorable comment by the citizens, and that disorders were promptly punished, as the business transacted by the courts would show. I further asserted that the disparaging statements which appeared in the United States, Hongkong, and Singapore newspapers were without an element of truth, and that military rule was firm as circumstances demanded, since outbreaks were likely to occur. Still I continued to have confidence in the peaceful solution of affairs, although it was apparent that the radical element in the insurgent councils (consisting of men without property and of little character, by whom the passions of the more ignorant natives were being inflamed and who were then organizing within the city clubs for legitimate improvement and amusement, as they claimed, but really for revolutionary purposes), might precipitate hostilities without giving us much warning. Aguinaldo, too, aided by his more intimate associates, was constantly levying and collecting war contributions and exciting the people with the cry for independence. He was in constant communication with a business firm of American membership mostly, having headquarters in Hongkong (one of whose members, individually present in Manila, had been appointed chief of ordnance of the insurgent army), and was secretly negotiating for a large supply of arms and ammunition, all of which was well known to me at the time.

During this period of quiet, in so far as strictly military affairs were concerned, the labors of civil administration were very exacting, and necessitated a mass of correspondence too voluminous to be embodied in this report. A few extracts will be submitted to show the character of the questions which were constantly presenting themselves for official determination. Already many individual claims against the United

States for damages to or loss of property, caused for the most part by the insurgent soldiers who had been in occupation of a portion of the city, were being received.

Great difficulties attended the efforts to administer on business principles the city revenues; to ascertain all former sources of that revenue; to put the proper machinery in operation to collect that portion of it the payment of which was considered appropriate and just, and to detect the constantly perpetrated frauds made easy under practices of long standing, and bring guilty officials or city employees to punishment.

The merchants were importunate. Those of foreign citizenship complained to the resident consuls of their respective governments, by whom their protests were officially submitted. This action appeared to threaten international complications, and had to be promptly and judiciously met. On October 31 the following reply was sent to one of these representatives of a foreign power, from whom a protest signed by nearly all the resident business men of his government was received:

DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 29th instant, with attached copy of declaration and petition of certain resident merchants of Manila, inclosed.

Had this protest been presented to the military governor of Manila by the protestants, the matter complained of might possibly have readily received some satisfactory adjustment, but as it has been submitted direct to the government of \* \* \* as a declaration and protest against the action of the United States authorities, and received as such by that government, it becomes a matter requiring mature deliberation. I have therefore the honor to invite your attention to the statement of facts contained in this declaration, the conclusions which protestants have drawn therefrom, and the presentation of facts as understood by the United States authorities here stationed, with their legal conclusions briefly submitted.

The protestants correctly recite the publication of the official circular from the office of the United States military governor on the 26th instant, but the alleged facts, viz, "that with the exception of a few, and some of them insignificant, ports (and that under certain restrictions which greatly embarrass trade), the interisland trade of the Philippines is prohibited," are not warranted. Still, it is possible that this narration was merely intended to be a conclusive summary of facts set up in the indicated circular, and if so, it is only fair to treat them as such, and they may be considered in connection with the remaining conclusions which the protest contains and which are "That the principal hemp-producing districts, such as Albay, Sorsogon, Leyte, and Samar, are closed by this circular against Manila trade, involving incalculable loss to \* \* \* interest in the Philippines;" "that the arbitrary enforcement of vessels engaged, being obliged to carry Spanish officers only, is a measure almost impossible to fulfill, as vessels are unable to comply therewith in view of the danger the Spanish officers would be exposed to from the native crews which they carry and the insufficiency of qualified Spaniards to man the vessels," and further "that if this arbitrary order is enforced it will entail the complete ruin of Manila trade."

The above, independent of the allegations regarding the business interests of the protestants, comprises, it is believed, all the facts and conclusions which the protest contains.

For reply to these several criticisms (although unaccompanied by any expressed opinion upon the right to demand remedial action) I beg to invite your attention to a brief summary of the endeavors made by the United States authorities for the interests of Manila merchants in the matter of coasting trade, and thereafter to give correct interpretation of the circular which appears to be the object of complaint.

Shortly after United States authority had been established in the city of Manila, to wit, August 29, the Spanish governor-general of the Philippines was approached with a proposition for the reestablishment of interisland commerce in products of the country. To this that officer responded with a cablegram, of which the inclosed exhibit marked A, is a certified copy. This cablegram was interpreted as follows: "As soon as the port of Manila is open to Spanish ships flying their flag I will order that all the ports in the territories under my command shall immediately admit American ships flying the American flag," etc.

Thereafter, upon receiving information from merchants that coasting vessels from this port were not permitted to land at certain of the ports in the Visayas, the attention of the Spanish governor-general was called to the fact and he replied, on October 14, that he would send his chief of staff to Manila for conference. At the first meeting with that staff officer, upon being invited to explain the action of his chief

in arresting the progress of trade sought to be carried on in accordance with an existing agreement, he replied that his government had executed the agreement, which only extended to the ports of Iloilo, Cebu, and Zamboanga. Upon being shown the original dispatch from Iloilo, of which Exhibit A is a copy, he replied that the Spanish word "puertos," used therein, embraced only ports of entry, of which the three above named are all the southern islands contain, and that such was the understanding of the Spanish Government when the cablegram was sent. To the question why vessels dispatched on or about September 1 were permitted to trade at other ports, he replied in substance that they were not interfered with as it was believed that they were not committing injury.

The explanation as to the true significance of the word "puertos" and the expressed intent of the Spanish Government was received in good faith, and endeavors were then made to secure an extension of coasting privileges. As a result, this representative of the Spanish governor-general agreed that all ports of the islands at which the authority of Spain was maintained or which were occupied by Spanish troops would be considered as open to all vessels engaged in legitimate commerce and flying either the Spanish or American flag, provided officers in charge of vessels were of Spanish birth or nationality (they could not trust Filipino crews because of their sympathies with the insurgents), and provided the United States military governor would vouch by cablegram at the time of sailing of vessels from Manila that they contained nothing objectionable. Upon pressing the representative for further latitude of trade in Spanish possessions he agreed, on behalf of his principal, to add the ports of Yligan, Dumaguete, and Surigao on like conditions, but with the further proviso that application and consent for vessels to enter them should be previously made and obtained. He was then pressed to include the ports of Calbayog and Carrigarra, but replied that his government had no troops there—only Indian officials—and that it could not guarantee protection or safety to vessels entering the same. Asked, Spanish authority having ceased there, if he would consider that the vessels then had the right to enter, he replied that the ports were in the same condition as those in the island of Luzon, in the possession of the revolutionary forces, and that the Spanish Government could not be held responsible for any damage to entering vessels which might result. No further concessions were obtainable, as it was said the governor-general, under present conditions, was powerless to grant them. Inquiry was made by this office if Spaniards to take charge of vessels could be secured to carry on this trade, and reply was received that they could be secured without any difficulty. Thereupon the circular inclosed, marked B, was issued for the information of all parties concerned, it being considered to contain the best terms in furtherance of the interests of Manila merchants which could be secured at this time. It was drawn up and ratified by the Spanish governor-general's representative in order that the Spanish Government might be held to a faithful performance of its obligations.

The circular is not understood to be of the nature expressed in the protest. It is viewed as a concession and in no wise as a prohibition on the part of the Spanish Government, which is at liberty to close its ports to outside commerce and influences if it elects to do so. A government almost in extremis mortis, as certainly the Spanish Government in the central Philippine Islands must be considered to be at present, has the lawful right to shut temporarily all of its ports, whether declared of entry or otherwise, and whatever the business interests of outside merchants, be they foreigners or citizens of its domain. This is a declared international right fully accepted.

I can not perceive, therefore, that any present action can be adopted to further the interests of the protestants, and accepting in good faith the action of the Spanish authorities in all previous negotiations, as vouched for by them, and as it is necessary to do in the absence of proof to the contrary, I can not see that there exists just cause for complaint against the United States authorities. I am still in correspondence in regard to all these matters and may be able to secure more advantageous conditions, although a disinterested party might casually conclude that this vigorous attack on the policy or intention, or possibly the integrity of constituted authority, on the part of resident merchants might tend to diminish future persistent efforts for their welfare.

Very respectfully, your obedient servant,

E. S. OTIS,  
Major-General U. S. V.,  
United States Military Governor in the Philippines.

The correspondence was brought to a satisfactory conclusion upon November 8 by the following communication:

SIR: I have the honor to acknowledge the receipt of your communication of the 4th instant wherein you inform this office that the action of certain protestants (\* \* \* subjects residing and doing business here) should not be considered in any wise as the action of the official representative of their government in this city



further than his notarial functions are concerned. I am pleased to accept this construction, and shall give the matter no further consideration.

As regards the parties protestant whose joint and very satisfactory communication you inclosed and is appreciated, I am certain that they will soon be firmly convinced that the United States authorities have not omitted to make continued effort to advance their business interests in every way possible. It appears to me, however, that they have not a full appreciation of the difficulties which the government of the United States established here have been obliged to contend with.

I am, sir, very respectfully, your obedient servant,

E. S. OTIS,  
*Major-General, U. S. V., United States Military Governor.*

The clearance of vessels continued to give annoyance, as the political conditions in the southern islands were constantly changing, and the coasting trade agreement between the Spanish and American officials could not be satisfactorily executed, as correspondence, of which the following communications are copies, clearly indicates:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., November 12, 1898.*

CAPTAIN OF THE PORT, *Manila, P. I.*

SIR: I am directed to inform you that the military governor has just received a cablegram from Iloilo, dated the 8th instant, and cabled from Capiz on the 11th instant, of which the following is a translation:

*"ILOILO, November 8, 1898.*

*"GOVERNOR-GENERAL TO GENERAL OTIS,  
"Military Governor, Manila:*

*"Your telegram of present date received. I order consul, Kongkong, not to send cargo whatever in consideration of what your excellency indicates. I spoke of the affair to the commander of the Charleston."*

This in response to a telegram from this office, dated November 1, 1898, of which the following is a copy:

*"GOVERNOR-GENERAL, Iloilo:*

*"Spanish consul, Hongkong, cleared vessel flying British flag on coasting trade to southern ports, Luzon, thence to Manila. Vessel arrived from Legaspi and has been permitted to enter under protest. This clearance viewed as in violation of agreement.*

*"OTIS,  
"United States Military Governor in the Philippines."*

Very respectfully,

C. H. MURRAY,  
*Captain, Fourth U. S. Cavalry, Aid.*

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., November 25, 1898.*

CAPTAIN OF THE PORT, *Manila, P. I.*

SIR: I am directed to return to you the inclosed letter of Messrs. Smith, Bell & Co., and to say in reply that, as is well known, a circular was issued from this office on October 26, 1898, announcing that under a mutual agreement between the United States and Spanish authorities vessels flying either the American or Spanish flag could be dispatched for Tacloban and other southern ports named, provided due notice by cable was given the governor-general at Iloilo that they were engaged in legitimate commerce.

In the case of the vessel of the Compania Maritima, the *Salvadora*, which had a like experience with the vessel *Cebu*, the military governor telegraphed the governor-general at Cebu, on the 16th, stating that the vessel had cleared from this port October 28 for Iloilo, Cebu, and Tacloban; that the vessel was turned back from Cebu and not permitted to proceed to Tacloban to the great loss of merchants, as the Cebu authorities reported that they could not permit vessel to enter any ports excepting those styled ports of entry. To this cablegram General Rios replied as follows:

*"Regret what has occurred with steamer Salvadora in Cebu. Attribute it to interruption of telegraph lines that exists, making my notice, which I repeat by mail, arrive late. Begging your excellency that hereafter, at the same time, to notify me and the governor-general in Cebu when vessel does not previously touch at Iloilo."*

It would seem, from the above dispatch of the 19th, that either the Spanish authorities in the southern islands are not keeping faith (which is not charged nor believed) or that they have neglected to inform officers at the various ports of the agreements which have been entered into. Under present conditions it is not possible to comply with General Rios's late request, as there are no opportunities to cable either Iloilo or Cebu, since the cable company's staff at Cebu has been removed on account of threatened danger from insurgents. Conditions therefore seem to be such that the Spanish authorities are not able to keep their agreement because of the action of the public enemy, and might plead excuse for any seeming violation of the same. Vessels hereafter clearing for the southern ports, named in the notice with which you have been furnished, will be obliged to clear assuming all attendant risks.

Further action will be taken in the matter of the *Cebu* to ascertain what remedies can be applied in instances of such a character.

Very respectfully,

C. H. MURRAY,  
*Captain, Fourth U. S. Cavalry, Aid.*

The requests of certain merchants for permission to pass their merchandise through the customs as Spanish goods under former Spanish tariff rates, on the plea of purchase in Spain before declaration of war and inability to present it sooner, continued throughout the year. They were presented, many by them individually, and some through their consuls. Every case was based upon a slightly different statement of facts, which was fully considered in replies. Applications made through the consul for Germany show the character of this correspondence:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., October 5, 1898.*

Hon. Dr. FR. KRUGER,  
*Consul for Germany at the port of Manila.*

SIR: Referring to your note of the 1st instant, I have the honor to state that the reason for deferring the application of the United States customs tariff and regulations from October 1 to November 10 was to gain sufficient time to make modifications therein in certain particulars in order to better adapt them to existing conditions. It was discovered that errors had been committed in the preparation or compilation of these regulations, and it was with the desire to make the necessary corrections that the postponement was ordered.

A slight concession was granted to the merchants of Manila, which was thought would not prejudice United States interests, and it was considered that sufficient notice was given to place them on their guard and allow them opportunity to protect themselves. The interests of the Manila merchants are so conflicting that no rule of general action could be adopted which would be satisfactory to all, and the requests submitted by the merchants in whose behalf you write have received greater consideration than those of merchants of the United States do when a change of tariff duties are made. There a tariff law takes effect as soon as enacted, and the rule of caveat emptor applies.

The proof which will be required to show that merchandise from Spanish ports prior to April 25, 1898, will be, independent of the accustomed manifests of cargo, bills of lading, and the usual consular certificates, a certificate from the United States consular agent at the Spanish port of shipment to the effect that the goods were purchased prior to April 25, and in case there is no United States consular agent at such port then a certificate of a consular agent of Great Britain at such port as the goods were so purchased.

Very respectfully, your most obedient servant,

E. S. OTIS, *Military Governor.*

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., December 21, 1898.*

Hon. Dr. FR. KRUGER,  
*German Consul, Manila, P. I.*

SIR: I have the honor to acknowledge the receipt of your communication of the 19th instant, with inclosure, which refers to merchandise shipped from Spain and recently received in this port. Concerning such goods you refer to an order issued from this office on September 29, last, in which directions were given that goods secured or purchased in Spain prior to April 25, last, would be received at this port until November 10 under the former Spanish tariff regulations.

That order clearly indicates that such merchandise received here after the last-named date would be subject to the same duties as the goods of all other neutral nations, the United States included.

Notwithstanding the instructions contained in this order, goods purchased in Spain by Manila merchants which arrived here as late as the present month have been admitted under the conditions expressed in that order, the merchants showing satisfactorily that delay in making shipments was beyond their control.

In respect to the entry of these goods you say that certain proofs of purchase in Spain, as regards time and circumstances, which were presented by the merchants, have not been accepted by the collector of customs. On this point you quote my letter of October 5, indicating the proofs it will be necessary for the merchants to furnish, among which was included the following:

"A certificate from the United States consular agent at the Spanish port of shipment to the effect that the goods were purchased prior to April 25, and in case there is no United States consular agent at such port then the certificate of the consular agent of Great Britain at such port that the goods were so purchased."

You state that the merchants interested gave the best proofs they could under the circumstances, and that it was impossible to secure the certificate of the British consul at Barcelona (acting for the United States) as to shipment; that under the proof the merchandise has not been admitted as desired.

Undoubtedly the customs authorities have acted within the instructions received from this office in demanding a consular certificate, and the subject now becomes a matter for further deliberation and further instructions. Your request is that the collector of customs be authorized to return the guaranties which the merchants had given in order to have the goods passed, and that their affidavits, made before the British consul at Barcelona, be accepted in lieu of the consular certificate which orders have prescribed.

The request will receive attention, and you will be informed soon of conclusions reached.

Very respectfully, your obedient servant,

E. S. OTIS, *Military Governor.*

After full investigation this application was denied, as were all others of like import which were submitted about that time. In arriving at conclusions, the possibility of purchasing goods in Spain under a continuing contract for purchase, or placing orders for them under an agreement for delivery at some future distant date, was considered, as well as the conflicting interests of merchants who were stocked or had recently purchased elsewhere than in Spain, and who antagonized favorable action on the applications.

The Spanish prisoners gave annoyance and were a menace to public tranquillity and the health of the city. Requests for permission to expatriate them were preferred on several occasions, but such action could not be taken without the consent of both Spain and the United States, since the disposition of the Philippine Islands awaited the result of treaty stipulation. These prisoners might yet be needed in the islands by Spain for military service. When Manila capitulated, many of them were ill and required careful attention and special treatment. All the necessary articles and appliances were furnished the Spanish officers with which to bestow the needed care. The prisoners soon commenced to improve in physical condition, but, having no employment, indulged too frequently in reprehensible conduct, and were an object of suspicion by our officers, who thought that they would require close restraint should hostilities with the Filipinos ensue. The old antipathy between insurgent and Spanish soldiers, which in the first few weeks of our occupation of the city was intense, and which manifested itself in slight rioting, followed in one instance by the murder of an insurgent officer near one of the gates of the walled city, was gradually disappearing, and Spanish officers and enlisted men began to mingle in friendly intercourse with insurgent troops.

No accurate lists of numbers had been made, nor could one be prepared from the rolls of organizations obtainable. Finally, on October 1, the provost-marshal-general was directed to make an accurate count of all present. For this purpose he caused the various organizations to form, at the same hour, at the places where they were severally quartered,

and had one of his officers with each of the organizations to verify numbers by actual count. This method of verification was repeated on subsequent occasions.

Under the terms of the capitulation the Spanish officers, though prisoners of war, were permitted to immediately supervise the affairs of the organizations to which they belonged. In the demoralization which followed the condition of prisoners of war, their authority was greatly diminished; and the general who was nominally in command of these Spanish forces made formal request to impose, through adequate punishments, a more efficient discipline. This was denied in the following letter:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
Manila, P. I., November 28, 1898.

Gen. FRANCISCO RIZZO,  
*Commanding Spanish Forces, Manila, P. I.*

GENERAL: Referring to the request made by you a few days since, that officers of the Spanish Army be permitted and assisted to enforce against their men, now prisoners of war, the disciplinary measures of the Spanish military code, I have the honor to reply that after mature deliberation on the special points contained in the request submitted the conclusion has been reached that conditions do not permit the American authorities to grant all that has been asked. They will endeavor to do what they can consistently to preserve good conduct on the part of the prisoners, and with that end in view instructions have been given to retain them within the walled city after 5 o'clock in the evening, and to compel them to retire to their respective barracks after the hour of 8.

The American authorities are responsible for the care of these prisoners, and must see that they receive humane treatment in accordance with the dictates and spirit of their own military code, and therefore no promises can be given as to the methods they will apply in exercising supervision. It is our desire to do all we can to carry out the wishes of the Spanish officers who are looking after the welfare of their men, but it will readily occur to you that under prevailing conditions we can not enter into any agreements which fetter in any wise a free latitude of action in the special cases which may arise.

I am, General, with great respect, your obedient servant,

E. S. OTIS, *Military Governor.*

Early in October certain Spanish officers, prisoners of war, asked for permission to depart for Spain on account of illness, and their requests were favorably indorsed by General Rizzo. Applying to the War Department for instructions in these cases, I was directed, on October 7, to grant, in my discretion, requests of this character. Whereupon, on application in writing, accompanied by the proper disability certificate of a Spanish surgeon and the approval of the general officer present and supervising Spanish affairs, passports with permission to return to Spain were given. A considerable number took advantage of this privilege before the general authority to send home the prisoners was received. On December 14 the Spanish authorities served upon me notice of the contemplated discharge of the native troops held in Manila as prisoners. Although it was known that a good many of the 3,000 of these prisoners had deserted to the insurgents, it was deemed important to weigh the probable results of this contemplated communicated action, and the following letters were prepared and delivered:

Captain-General Rizzo,  
*General of Division of the Spanish Army, Manila, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your communication of this morning, in which you inform me you are about to discharge from the Spanish service the Spanish native troops held as United States prisoners of war in this city.

I beg that you defer your contemplated action in this matter of discharge until I may be able to make inquiry as to the condition, intent, and former places of domicile of these troops, that I may act understandingly with regard to them. As prisoners of war, under the articles of capitulation, they should remain under guard within the city and under the immediate supervision of their officers until instructions as to their final disposition are received from Madrid and Washington.

You will therefore please suspend all action relating to their discharge until I may be able to communicate further with you.

I am, very respectfully, your obedient servant,

E. S. OTIS,

*Major-General, U. S. V., United States Military Governor in the Philippines.*

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., December 17, 1898.*

Division General FRANCISCO RIZZO,

*Commanding Spanish Forces, Manila, P. I.*

GENERAL: In further response to your letter of the 14th instant, regarding your contemplated action in the matter of discharging Spanish native troops held in this city as prisoners of war, I have the honor to inform you that exhaustive inquiry has been made as to their permanent homes and possible conduct should they be discharged at this time. It has been ascertained that a very large number of them came from the southern islands, and that some of them, though of Luzon, would be afraid to return to their homes, even if discharged. Those living in the southern islands should be sent there; those of Luzon who are afraid to return to their homes should be kept here in Manila. There are others of these natives who might give trouble in the city if discharged, and they should be kept under restraint.

All the native troops, therefore, will be continued in their present status as prisoners of war, to remain in restraint under the immediate supervision of their officers until the chief authorities of the dominion of Spain and the United States give final directions as to their disposition. This is in conformity with the articles of capitulation of August 14, last.

Very respectfully, your obedient servant,

E. S. OTIS,

*Major-General, U. S. V., United States Military Governor in the Philippines.*

These natives were subsequently discharged in Manila. Some were taken to a western Luzon province and released, and others were permitted to go from the city in any direction they wished, or to remain in it if they desired. It was subsequently a noticeable fact that they became the most formidable troops in Aguinaldo's army, fought splendidly at Caloocan, where they lost in casualties a large portion of their numbers.

About this date Spanish officers, with their families, were arriving in the city from the southern islands. Some of them had been exercising command of native troops, which were disbanded there or had deserted to the enemy, or they were not desired in the Spanish military organizations still retained at the south. They came ostensibly to secure transportation to Spain by vessels plying between Manila and Barcelona. Lingering with us a considerable period, and not knowing their numbers, request was made upon the Spanish authorities for their names and intention, and the further request was made that the United States authorities be notified in future of the fact of the arrival of any Spanish officers from southern ports.

The United States authorities, after entering Manila, had continued in place the Spanish officers who had exercised charge of the large city prisons, where about 2,000 suspects and convicts were confined. General Hughes, the provost-marshal general, who had supervision of these prisons, detected, while inspecting the August and September prison accounts, fraudulent transactions in which these officers were concerned. He thereupon placed them in arrest and submitted the charges of "conspiracy to embezzle public funds in violation of the laws of war," and "embezzlement in violation of the laws of war," when they were brought before a military commission for trial. The result of the court's long and patient investigation, during which the accused officers had the benefit of the best American and Spanish legal advice obtainable, and of their own selection, was the conviction

of two of them, and the acquittal of the third upon an admittedly proven alibi. The two who were convicted were each sentenced to pay a fine in "the sum of \$2,500 in gold coin of the United States, and to be confined at hard labor in such place of confinement as may be designated by the reviewing authority for a period of three years." The review of the case is in language as follows:

In the foregoing case of Carlos Aymerich, Branlio Zorita, and Jose Ruiz, jointly tried by a military commission for conspiracy to embezzle, and the embezzlement of, public funds, the commission has adjudged a finding of acquittal as to Carlos Aymerich, evidently considering certain evidence submitted to it and tending to establish an alibi as to this accused, as having an important bearing upon the case, to the extent, at least, of raising a reasonable doubt as to his participation in the offenses alleged. In this view the reviewing authority does not concur, believing that the evidence of record conclusively establishes the criminal responsibility of the said Aymerich jointly with the other accused under both charges, and is, therefore, unable to concur in the finding of acquittal in his case. Orders have already been issued for his release from confinement.

The findings and sentences adjudged the other two accused, to wit, Branlio Zorita and Jose Ruiz, are approved. In view of the confinement already served by them and the circumstances surrounding this case, deemed in certain respects to justify the extension of clemency, the confinement at hard labor for three years awarded each of these accused is reduced to six months. As mitigated, the sentences will be duly executed and so much thereof as relates to confinement, at Bilibid Prison.

The commission took up the trial of these cases on November 22 last, and gave a long and patient hearing to the voluminous testimony introduced and the lengthy arguments of the prosecuting officers and defendants' counsel. The funds which it was charged that the parties had misappropriated accrued previous to the date of United States occupation, but were subsequently covered as expended in the payment of fraudulent vouchers manufactured in August and September for services rendered and property delivered for the benefit of the prisons prior to that date. They therefore belonged to the United States by capture, or promised surrender under the capitulatory articles. The Spanish authorities labored in the interests of the accused, and the date on which they were brought before the military commission the chief of staff of the Spanish general, who subsequently acted as assistant counsel for one and submitted an able closing argument on the merits, sent in a written application asking that they be remanded to the Spanish authorities for trial, representing that the honor of Spain was involved. He was informed, however, that the United States tribunal, which had been directed to judicially determine the question of their guilt or innocence, had not been ordered until after an exhaustive investigation had been made and the justness and expediency of the step carefully considered. The cases were not published until March 13, after the offenders had been in arrest for six months. Some time thereafter, and on April 19, a petition was presented, headed by his grace the archbishop of Manila and signed by its leading inhabitants, Spanish and foreign mostly, praying for the release of Zorita, though acknowledging the justness of his sentence. He was released on the payment of \$2,500, gold, his time of confinement having nearly virtually expired. Ruiz still remains in confinement. No decided effort by friends for the commutation of his sentence has been made. It would be matter for satisfaction if the same action could be applied in his case as in that of Zorita.

Another case, that of a Spanish newspaper editor, one Antonio Hidalgo, charged with "publishing and circulating seditious newspaper articles in violation of the laws of war," was brought before a military commission in November last. The accused was found guilty and sentenced "to pay a fine of \$500 in United States gold coin to, and for the

use and benefit of, the United States; that he be placed and kept outside of the lines of the territory now occupied by, and within and under the jurisdiction of, the military forces of the United States, and that the press, type, furniture, material, and all appurtenances of the printing office of *La Voz Española* be confiscated and sold for the use and benefit of the United States.

The review is as follows:

In the foregoing case of Antonio Hidalgo the record discloses that the accused was accorded an impartial trial, his rights having been protected at every stage thereof. The findings are in accord with the evidence, and the sentence, in amount and character of punishment awarded, shows that the commission correctly estimated the criminality which, under the conditions existing at the time of their commission, was involved in the offenses of which the accused stands convicted. Such a sentence the reviewing authority is reluctant to modify.

It appears, however, from facts elicited since the conclusion of the trial that the accused fully appreciates the gravity of the offenses committed by him, and regrets their commission. He has furnished satisfactory proof of previous good character and reputable standing in this community, and has directly and through influential citizens petitioned for clemency. In view of these facts, and in the belief that the example furnished by this trial and conviction constitutes sufficient warning that the military government here established possesses and will exercise the power necessary to protect itself against libelous and seditious publications designed to asperse its character and weaken its authority, the reviewing authority is pleased to remit so much of the sentence as relates to confiscation of property and to the deportation of the accused beyond the lines now occupied by the military forces of the United States.

The fine imposed is reduced to \$250, gold coin of the United States, the accused to stand committed until such fine is paid; the confinement under this sentence not to exceed three months.

As mitigated, the sentence will be duly executed.

The fine was paid and Hidalgo released. The trial produced a good deal of excitement, both on account of the standing of the accused in the community, his numerous friends among the better citizens, and the novel proceeding. The case was prosecuted for the sake of example and to give warning to the proprietors of other newspapers of the penalties which might be imposed upon them if they continued to indulge in abuse and calumny. It has had beneficial effects.

This period was one of plotting in the interests of the insurgent cause and men of every nationality appeared to be engaged in questionable enterprises promising individual gain. Rumors of the purchase and introduction of arms and ammunition at various ports on the Luzon coast were incessant. Admiral Dewey had seized a vessel at Batangas engaged in this contraband trade, but the cargo had entered the interior. It was an understood fact that money in considerable quantities was being sent to the insurgent junta at Hongkong, which was then presided over, or at least advised, by an American citizen and a British subject. Insurgent delegations departed for Japan and the cities on the Asiatic coast. All this occasioned a mass of correspondence with United States representatives stationed in these countries. Smuggling and illicit trade of a varied character was being actively conducted, and the cunning of the Filipino and the Chinese was difficult to contend with. Insurgent newspapers had been established in our midst and often indulged in criticisms of the manner in which affairs were being conducted, but were generally busy insinuating that the United States offered nothing advantageous to the Filipinos, who had expended so much blood and treasure for their independence. The formerly expressed fear that Spain would return had given way to the statement that it was the intention of the United States to replace her in the odious domination which she had exercised for centuries. The better class of Filipinos recommended the suppression of these Filipino newspapers, and to my question whether the people believed

the statements found in them, replied that they did and were greatly impressed. The editors were warned and became more temperate in their denunciations, even asking assistance to place before the people the true condition of affairs. Able articles were prepared and furnished, at my request, by the well-known scientist, Dr. Becker, upon the true theory of government and the probable intention of the United States in Luzon and other islands. They were generally used by these editors as targets for such unfriendly criticisms as their supple and peculiar minds could invent. A sanguinary and venomous article would be followed for three or four successive days by temperate productions favoring United States protection on lines which they were powerless to explain or understand.

Questions of grave import were being constantly thrust upon the United States authorities, some having decided international significance demanding prompt attention. The acting American consul was busy with political and commercial problems, among which were those relating to the acquisition of citizenship or the participation by foreign vessels in interisland trade. On December 9 he was informed of a decision which had shortly before been rendered and expressed in the following terms:

The effect of section 8, article 1, of the Constitution of the United States, and legislation by Congress thereunder, is to vest the exclusive power of conferring citizenship by naturalization in Congress. This power is not shared by State or Territorial governments, nor by military governments established by the United States in the exercise of its war power.

In establishing rules on the subject, Congress has provided among other conditions upon which citizenship will be conferred upon aliens, excepting those having service in the Army or Navy, a previous residence of five years within the territorial limits of the United States. It is very clear that this condition has not been complied with by the within-named applicant.

United States citizenship may also result from (1) completed conquest and incorporation of territory, and (2) from treaty. No act of the individual in the former case is necessary other than election to become a citizen, usually manifested by continued domicile within the territory conquered and incorporated. In the latter case it is necessary only for the individual to comply with the conditions that the treaty may establish. Until negotiations have proceeded further it is impossible to determine whether the within applicant can avail himself of either of these methods.

Applications for citizenship can not be acted upon at the present time; they could merely be received and filed.

To his inquiry with regard to coasting trade privileges he was informed by communication as follows:

In reply to your note of yesterday with inclosure, I am directed to state that the inclosure granting the permission of the Spanish Government to do certain acts as therein explained was given July 5, last, prior to United States' occupation of the city and harbor of Manila, and under conditions, both in this respect and in so far as the outside ports of Luzon are concerned, which have materially changed.

Since that time certain agreements have been entered into between the representatives of the United States and Spain which the action contemplated in the inclosure would violate, and hence can not now be carried into execution. Vessels can not be cleared from this port for interisland ports, under the Norwegian flag.

As regards the tobacco now in the upper country, it can be brought to this port by vessels of the Maritime Company, sailing under the American flag. That company has two vessels engaged in this trade which will be able to bring in all the tobacco grown in the upper provinces, and at uniform transportation rates to all owners concerned. The *Venus*, now due here, will sail in about four days for Aparri, and the *Saturnus*, now en voyage for that port, will soon be here, and as soon as she can unload will return. Information has been obtained that the whole tobacco crop can be moved by these two vessels and in sufficient time to prevent injury to the crops.

Your inclosure is herewith returned.

The sphere of United States action in the Philippines was now about to be enlarged. During the last interview with General Rios's staff



officer on the subject of interisland trade, alluded to in a former portion of this report, he submitted a proposition for the relief of the Spanish garrison at Iloilo by our troops, saying that General Rios would be pleased to turn that city over to the United States authorities and withdraw to Zamboanga. The proposition was discussed, but immediate action was not considered practicable, and he was requested to convey to the general our appreciation of his offer and to report that permission would be sought to accept it as soon as the Paris treaty negotiations indicated unmistakably that the United States would succeed to the government of the islands. About December 13 a petition was received, signed by the business men and firms of Iloilo, asking for American protection there. On December 14 I cabled to Washington the following:

Bankers and merchants with business houses at Iloilo petition American protection at Iloilo. Spanish authorities are still holding out, but will receive United States troops. Insurgents reported favorable to American annexation. Can send troops. Shall any action be taken?

No response was received until the 19th of that month, when I was informed that the President and Secretary were absent from Washington, and that a consideration of my question would await their return, which would be shortly. Appreciating the great desirability of securing possession of this city, the second of the Philippines in importance, I was anxious to receive an affirmative answer to my cable question of the 14th instant. It was reported that the Spanish troops were hard pressed by the insurgents, who had made an attack a few days previous, declaring that they would capture the town before the arrival of the Americans. It was also stated that the attack had been repulsed, with a loss to the insurgents of 300 men.

The petition for protection which had been submitted by the business men appeared to me to furnish sufficient ground upon which to base intervention in their behalf, independent of specific instructions from Washington, and I therefore, in conference with Admiral Dewey, asked that one of his war vessels convoy troops which I meditated sending to Iloilo at once. This the Admiral thought it not wise to do, as we were awaiting authority which had already been sought, and furthermore that he was of the opinion General Rios would hold out. I shared with him this latter conviction and awaited directions. On December 23 the following dispatch was received:

WASHINGTON, *December 23, 1898.*

OTIS, *Manila:*

Answering your message, December 14, the President directs that you send necessary troops to Iloilo, to preserve the peace and protect life and property. It is most important that there should be no conflict with the insurgents. Be conciliatory, but firm.

By order of the Secretary of War.

These instructions were conveyed to Admiral Dewey and I cabled the following:

MANILA, *December 23, 1898.*

General Rios,

*Governor-General Philippine Islands, Iloilo, Panay:*

A considerable United States force, Army and Navy, will leave Manila in two or three days, and its commanding general is ordered to confer with you at Iloilo.

OTIS,  
*United States Military Governor.*

This message was sent to Capiz, a northern point of the island of Panay, then the terminus of the cable, whence messages were telegraphed overland to Iloilo before the insurgents had destroyed the land

lines. Cable messages were sent subsequently by special gunboats which reported for them at short intervals. The next morning the superintendent of the cable company surprised me with the information that two gunboats arrived at Capiz the day before, collected all telegrams, and left for Iloilo at 5.35 p. m.; that my dispatch did not reach the cable office there till 5.50 p. m.; that the cable operator reported that General Rios would leave Iloilo with all Spaniards for Lambagan the afternoon of the 24th, and would go to Manila by the end of the month. Efforts were immediately made to communicate by other means with General Rios before he could evacuate the city. A coasting vessel was secured, with which Lieutenant-Colonel Potter, of the Engineer Corps, was directed to proceed, and if possible communicate in person with General Rios, requesting that he continue in possession of the city until the arrival of our troops. Colonel Potter departed on his mission that night and nothing was heard from him until the morning of the 28th, when he returned. He reported that General Rios had evacuated on the evening of the 24th, thirty-nine hours before his arrival; that he found the insurgents in possession of the city; that he had landed and held an interview with the consul for Great Britain, and that the town was quiet, Aguinaldo's flag flying, and that he could not reach any conclusions as to the probable results of General Miller's arrival; that he saw the latter on the evening of the 27th and reported to him fully the situation as he had found it. On the morning of the 27th I telegraphed Admiral Dewey, at Cavite, as follows:

Nothing from Colonel Potter. Capiz reports having seen vessel offshore last evening and thinks that possibly insurgent authorities there would not permit landing. If Potter remains at Iloilo, Rios still holds out. Should he arrive here within the next twelve hours, Rios has evacuated.

I thereafter telegraphed Admiral Dewey the substance of two dispatches as soon as delivered, which were as follows:

ILOILO, December 24.

Treaty of Paris signed; my Government orders me to go to Manila, where I shall arrive at end of month, and in accordance with your excellency will hasten repatriation.

General Rios.

Also,

Steamer which arrived yesterday at Capiz is Spanish gunboat *Elcano*. Iloilo evacuated on the 24th.

This last message was received from the cable company. I also telegraphed the Admiral that "Colonel Potter not having reported, I am inclined to think that Spaniards still hold Iloilo." I then cabled the following:

ADJUTANT-GENERAL, Washington:

Iloilo expedition left last night. Reported that Spanish forces evacuated 24th instant. Report not confirmed. General Miller fully instructed as to action whether Spanish forces there or not. Action to accord fully with President's directions. Will cable results as soon as possible. Expedition should reach Iloilo to-morrow morning.

As soon as Colonel Porter had received instructions to proceed, as above indicated, the following was issued:

GENERAL ORDERS, } HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
No. 39. } Manila, P. I., December 24, 1898.

I.—Brig. Gen. Marcus P. Miller, U. S. V., is assigned to the command of the following named troops, viz:

Light Battery G, Sixth U. S. Artillery.

Eighteenth U. S. Infantry.

Fifty-first Iowa Infantry.

And will proceed with them to Iloilo, island of Panay, by transports *Newport*, *Ari-zona*, and *Pennsylvania*, under such naval escort as the rear-admiral commanding the Asiatic Squadron may furnish him, and there execute the special instructions he will receive from these headquarters.

The troops will constitute a separate brigade within the meaning of the Seventy-third Article of War, to be known and designated as the First Separate Brigade of the Eighth Army Corps. They will be equipped and supplied as orders already and hereafter to be issued indicate.

The following-named officers will constitute the staff of the First Separate Brigade of the Eighth Army Corps:

First Lieut. C. G. Woodward, Third U. S. Artillery, aid, acting assistant adjutant-general.

Capt. John B. Jefferey, U. S. V., quartermaster.

Capt. C. R. Kranthoff, commissary of subsistence, U. S. V., commissary.

Maj. E. R. Morris, brigade surgeon, U. S. V., chief surgeon.

By command of Major General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

General Miller and the Iowa regiment of volunteers had recently arrived. The regiment remained on the transport prepared for departure. Light Battery G, Sixth Regiment U. S. Artillery and the Eighteenth Infantry had been directed to hold themselves in readiness for this expected service. Carefully prepared instructions were then issued, of which the following is a copy:

OFFICE U. S. MILITARY GOVERNOR,  
HEADQUARTERS DEPARTMENT PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., December 24, 1898.*

Brig. Gen. MARCUS P. MILLER, U. S. V.,  
*Commanding First Separate Brigade, Eighth Army Corps.*

SIR: In obedience to the instructions of the President of the United States, dated the 23d instant, directing that troops be sent to Iloilo, island of Panay, there "to preserve the peace and protect life and property," your command has been selected for this duty and has been ordered to depart therefor on Monday next, the 26th instant.

Those instructions contain the following cautionary language:

"It is most important that there should be no conflict with the insurgents. Be conciliatory, but firm."

When they were given it was supposed that the Spanish forces in Iloilo and in conflict with the insurgent inhabitants of the island would retain their hold of the city until the arrival of United States troops, when they would transfer all authority to the latter and peaceably evacuate. From cable dispatches received this morning from northern Panay, it is feared that the Spanish troops may surrender the city to the insurgents before your arrival, in which event your duties will become more complicated and will require delicate and skillful action for successful prosecution. However, every possible precautionary measure has been taken to retain the Spanish forces there. Yesterday a cablegram was sent to northern Panay, the limit of telegraphic communication with Iloilo, advising the commanding general of those forces of your early departure for that port, and this evening a fast vessel will be dispatched carrying the same information, but it is possible that these measures may fail to accomplish desired results.

In the event of your arrival at Iloilo prior to the departure of the Spanish troops therefrom, you will communicate with their commanding general, inviting him, in accordance with an existing mutual understanding, to then remove his forces, to permit you to take formal possession of the city and thereupon with his consent you will proceed to occupy the same with your command. If, on the contrary, you find the city to be in the possession of the insurgents, you will proceed with great caution, avoiding all manifestation of meditated forcible action and undue display of force. You will place yourself in communication with the insurgent authorities through the representative men of Iloilo, whom you will take from Manila with you on your voyage, and who will use their best endeavors to bring to a successful determination any difficulties which may present themselves. You will make known to the inhabitants the purpose of the United States, which, having succeeded to all the rights of Spain in the Philippine Islands, under treaty stipulations following conquest in the Eastern and Western hemispheres, intends to establish among them an efficient and most stable form of government which shall fully protect them in all their private interests and liberties, in which they shall have representation, and which will secure for them increasing and abundant prosperity. As a slight proof of your declared intention, you will release unto them the Spanish native soldiers sent here by the Spanish Government, who, through the efforts of the United States

authorities, will be returned to their homes in Panay, who will accompany you and who are grateful for the supervision which those authorities have exercised over them. You will find the representative people of Iloilo a superior class and amenable to reason, and it is believed that they will place confidence in the faith and good intentions of the United States and will accord you a most favorable reception. No undue haste will be made and the rights of your Government will be fully made known and insisted upon. Conflict between troops will be avoided unless it becomes necessary for defense. Should you be able to effect a landing as a result of your negotiations you will disembark only a sufficient portion of your command to subserve present purposes—the remainder being held on transports awaiting further instructions. Should you not be able to effect a landing without conflict, you will hold your forces on your transports in the vicinity of Iloilo and await further directions from these headquarters. But in all these matters you must be governed to a great extent by your own good judgment after a careful deliberation upon conditions, having in view the instructions of the President of the United States to avoid armed repression.

The government which you are called upon to establish at Iloilo will be one of military occupation. Upon taking possession it will be your duty to issue an order proclaiming such a government within the territory occupied or controlled by the United States forces under your command. The municipal laws of the territory occupied, such as affect private rights of persons and property and provide for the punishment of crime, are to be considered as continuing in force so far as compatible with the new order of things, unless suspended or superseded by proper military authority. The judges and other officials connected with the administration of these laws may, if they accept the authority of the United States, continue to administer the ordinary law of the land as between man and man, but under the supervision of the said military authorities. The local courts thus continued in power shall not, however, exercise jurisdiction over any crime or offense committed by any person belonging to the Army of the United States, or any retainer of the Army, or person serving with it, or any person furnishing or transporting army supplies, nor over any crime or offense committed on either of the same by any inhabitant or temporary resident of said territory. In such cases, except when courts-martial have cognizance, jurisdiction to try and punish is vested in military commissions and provost courts which will be convened (by you) from time to time as occasion may require.

For the purpose of providing for the prompt punishment of crime in cases where the civil courts may fail, from whatever cause, the military commissions and provost courts will, in addition to the exercise of powers above indicated, be vested with jurisdiction concurrent with the civil courts to hear and determine all crimes and offenses committed by inhabitants or temporary residents within the limits of United States occupation. Of these crimes and offenses, those which are capital and such others as you may desire to refer to it will be brought to trial before a military commission, and those which are not capital, which may be adequately punished within the punishing powers of provost courts, may be referred to them for trial. Trials by civil courts, however, will be preferred where there is satisfactory reason to believe that justice will be done.

In all sentences imposed by military commissions and provost courts the punishments awarded shall conform, as far as possible, in character and degree to the laws of the United States, or of either of the States, or to the customs of war. The proceedings of military commissions after being acted upon by you will be forwarded to these headquarters for the action of the commanding general. The punishment awarded by provost courts shall not exceed confinement, with or without hard labor, for a period of one year or a fine of \$1,000 or both. The sentences of these courts do not require approval, but may be mitigated or remitted by you. Copies of orders on these subjects, the provisions of which control the action of the military courts established in this city, will be furnished you for your information and guidance and for application under conditions similar to those prevailing here.

It will be necessary for you to create a government for the determination of city affairs under the direct supervision of a provost-marshal, to appoint officers and assistants for the collection and care of revenue, and to conduct postal affairs. The customs regulations in force here will be applied by you at Iloilo, and an officer connected therewith has been directed to report to you for appointment as collector of customs, who will be provided with copies of all customs regulations and the necessary blank forms. You will be furnished with the requisite assistants, thoroughly supplied, to establish upon your arrival all necessary mail facilities, and you will apply in this department the postal laws of the United States Government.

Iloilo is an important point of entry, and to secure competent aid for duty in connection with the port you will consult Captain Dyer of the Navy, commanding officer of the *Baltimore*, which escorts your transports, who has a thorough practical acquaintance with such matters.

In establishing your administration you will consult various orders and regulations governing all these subjects at this port—making your actions conform thereto in all essential particulars. No further instructions can be given you. Much must depend upon your tact and discretion and your ability to meet varying circumstances as they arise. However, should you fail to secure a peaceable entry into the city, you will report fully your proceedings to these headquarters and request further instructions.

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

On the evening of General Miller's departure the following was also furnished him:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., December 26, 1898.*

Brig. Gen. M. P. MILLER, U. S. V.,  
*Commanding First Separate Brigade, Eighth Army Corps.*

SIR: I am directed by the major-general commanding to furnish you with the following instructions:

In case the Spanish forces have evacuated Iloilo, you will, on approaching that city, keep your transports *Arizona* and *Pennsylvania* well to the rear and beyond the view of the inhabitants of Iloilo, and you will take into the Iloilo waters your naval escorts, the *Baltimore* and *Callao*, and the transport vessel *Union*, on which are the native Spanish troops, with your vessel, the *Newport*. You will make known to the insurgent authorities the object of bringing the large force with you, which is, viz: To take possession of other ports in the islands, if conditions and circumstances are favorable, but that it may be necessary to keep troops at Iloilo until definite instructions concerning other ports of the islands are received from Washington.

Very respectfully,

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

General Miller, in command, escorted by the U. S. S. *Baltimore*, sailed on the evening of the 26th, and as Colonel Potter did not return until the morning of the 28th, we were without any information for thirty-six hours. In the meantime reports were brought that Aguinaldo had expressed satisfaction with the situation, as fighting would certainly commence at Iloilo upon the landing of our troops, which would excite the natives in Luzon to active hostilities. He had issued orders, it was intimated, to oppose landing, but feared that a considerable force of Tagalos sent there would not be in time to participate. It was afterwards learned that these special insurgent troops did not reach Panay until December 29.

In the foregoing instructions mention is made of representative men of Iloilo and Spanish native soldiers, whom General Miller was directed to take with him, the first to assist in making the object of the United States known and the latter in proof of good intentions. The soldiers referred to were sent by General Rios to Manila for discharge from the Spanish military service, without permission or warning. They were about 200 of a lot numbering 600 or 700, and were Visayans belonging mostly to Panay, while the remainder were Tagalos. They were discharged upon arrival in the harbor, though not paid off, as the Spanish authorities pleaded lack of sufficient public funds, and request was submitted to permit them to land in the city. After much deliberation, it was decided to land such of them as desired to remain in Luzon on the northern shore of Manila Bay, and to send to Panay those who desired to go south. The 200, who were accompanied by their families, elected to go south. They were placed upon a Government transport, rationed, each given a small amount of money from the public funds, and departed for their homes with General Miller's command. The representative business men had come up from Iloilo a short time before for the purpose, as they asserted, of arranging matters with the Americans so that

there might be a peaceful solution of affairs. They were introduced by some of the native citizens in whom confidence was placed, and expressed themselves as desirous of having the United States troops go to Iloilo, and to accompany them in order that they might prevail upon the people to receive them without opposition. These men were intelligent and apparently very much in earnest, and General Miller, who was present at the last conference, shared fully my opinion as to their honesty. He took them with him on his own transport and gave the best accommodations the vessel offered, free of charge. Upon arrival at Iloilo, he sent them into the city to prepare the way for him and they were seen no more. He landed the discharged native soldiers on the Panay coast, and it is believed that they joined the insurgent ranks without taking much time for consideration. It was subsequently ascertained that while temporarily sojourning in Manila one of these representative men quietly visited Malolos, and received Aguinaldo's orders, which he carried with him to his people.

Lieutenant-Colonel Potter, when returning from Iloilo, had met the command of General Miller and had reported the situation to him when some distance north, off the Panay coast. Upon receiving his report, and being ignorant of General Miller's movements, I returned him at once with the following instructions:

HQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
Manila, P. I., December 28, 1898.

Brig. Gen. MARCUS P. MILLER, U. S. V.,

*Commanding First Separate Brigade, Eighth Army Corps, Iloilo, P. I.*

SIR: Lieutenant-Colonel Potter has just arrived and reported the situation at Iloilo. He reports the evacuation of the city by the Spanish forces, and that the insurgents are in full possession; he further reports that those authorities were anticipating your arrival, and that there was a widely prevailing sentiment in the city in favor of receiving your forces without resistance. All of this, Colonel Potter informed me, he made known to you when he consulted you yesterday on his return trip.

To meet this state of affairs your instructions need modification, although it is believed that you will grasp the situation as presented and be governed by conditions. Your instructions bid you to be conciliatory but firm, and, further, that you will not make any great display of force, but seek to gain possession of the city through peaceable negotiations, not exercising undue haste; that should you fail to secure a peaceable entry into the city you will report fully your proceedings to these headquarters and request further instructions.

By firmness and conciliatory action it is believed that you will be able to land your force without conflict, but you will make as strong a display of the same as possible, landing them and taking possession of the city forcibly, if more pacific measures are without avail. It is, of course, necessary now, in this stage of the proceedings, to occupy Iloilo, and the manner of doing so must be left to your discretion, avoiding conflict if possible, but accepting it if necessary to accomplish the object.

Information received here is to the effect that the insurgent forces are weak in strength even when united—that they are not united, but are divided in their sentiments toward the United States Government, the majority being friendly disposed.

No further instructions can be given you, and there is no disposition to limit your discretionary action. Conduct affairs in accordance with the demands of the situation, having in view always the necessity of occupying the city with your troops.

Colonel Potter will return as soon as you report to him the situation, unless you wish to retain him for a short time to acquaint him with results of action already taken or action which you meditate.

Very respectfully,

E. S. OTIS,  
*Major-General, U. S. V., Commanding.*

LATER.

Since writing the above I am in receipt of information from the Malolos government, which was gathered yesterday. Its former cabinet resigned a few days ago because of its inability to agree with Aguinaldo and his confidential advisers. A new provisional cabinet has been appointed, consisting of men hostile to American annexation, among whom are a number of army officers. These men are closely watching the results of your expedition and greatly hope that you will be obliged

to use force to gain Iloilo. They think that conflict there would inspire the people here to take up arms against the Americans. It is therefore still quite necessary to avoid force if you can do so and still succeed.

E. S. OTIS,  
*Major-General, etc.*

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., December 28, 1898.*

Lieut. Col. C. L. POTTER,  
*Chief Engineer Officer, Department Pacific and Eighth Army Corps.*

SIR: Since delivering to you instructions for General Miller, I am in receipt of a dispatch from Admiral Dewey saying it is not practicable to send the *Callao* to Iloilo, and he further thinks the proper thing now to do is to recall the expedition, as the insurgents are in full possession and will probably not give up without a fight. This expression of view on the part of the Admiral only confirms my view that you should use every possible means of conciliation, and still I am not of the belief that the expedition can be returned. Better that we leave the war vessel and a small force to confront Iloilo and scatter the force to other ports in the southern islands, where troops are very much needed at the present time. You will therefore inform General Miller to be governed by these views as nearly as possible. I will try and send further information in regard to the condition of the islands to-morrow or next day. Notwithstanding all this, I still hold to my view that Iloilo must be taken.

Very respectfully,

E. S. OTIS,  
*Major-General, U. S. A., Commanding.*

Lieutenant-Colonel Potter sailed as soon as he had received these instructions. I then cabled to the Adjutant-General of the Army such information as I had obtained from Iloilo, adding in my dispatch that I could not arrive at conclusions as to results, and would not hear from there for four days, as cable communication had been destroyed; that the Spanish forces had evacuated all stations in the southern islands, except Zamboanga, by orders, as they asserted, from Madrid. On December 30 I cabled Washington that—

All military stations outside of Luzon, with the exception of Zamboanga, turned over by Spaniards to inhabitants, who may be denominated insurgents with more or less hostility to the United States. Some points we can take without friction, and could have taken nearly all outside of Luzon peaceably before the 23d and 24th of the month, when Spain withdrew her forces without our knowledge. Am waiting to hear results from Iloilo, and am meditating action in islands of Leyte, Samar, and Cebu, in all of which Luzon insurgents have been at work for several months. Conditions here at Manila and character of inhabitants not understood in the United States. Large number of insurgent troops still in the field, scattered throughout Luzon provinces, and about 6,000 outside this city, which contains large number of sympathizers, who have threatened uprising. Former insurgent cabinet disrupted, provisional one formed, consisting mostly of irresponsible men who demand complete independence and war with United States. The situation requires delicate manipulation, and our troops here can not be widely scattered at present. Great majority of men of property desire annexation, others seek personal advancement and plunder, promises of which hold insurgents together, but already much dissatisfaction in ranks and conflicts with inhabitants in middle provinces. Will report further in a few days. Am in consultation with Admiral Dewey, now engaged in efforts to stop shipment of insurgent arms from China and Japan through meditated seizure. We will probably send another force south within a short time.

General Miller's first report was received at these headquarters on the morning of December 30, and was as follows:

HDQRS. FIRST BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
*Iloilo Harbor, P. I., December 28, 1898—3 p. m.*

ADJUTANT-GENERAL,  
*Department of the Pacific and Eighth Army Corps.*

SIR: I have the honor to report that my command arrived in the harbor of Iloilo about 10 a. m. to-day. The *Arizona* and *Pennsylvania* were left at Point Luzaron, 30 miles away. The *Baltimore* and *Newport* anchored off the city.

An aid of the commanding general, Martin Delgado, immediately reported aboard my ship. I gave him an interview. He reported that the commanding general desired to know "if we had anything against them—were we going to interfere with them?" I informed him that I had written a letter stating to his commanding officer and the people of Iloilo the object of my visit, and would send the letter over. Accordingly, Lieut. M. K. Barroll, Third Artillery, and two volunteer aids and the commission went to visit the commanding general. They were met by a subcommittee, of the committee of which R. Lopez was president, General Delgado being present. My aids gave them my letter (a copy inclosed). They wanted to know of Lieutenant Barroll almost at the very first whether he had any instructions for them from Aguinaldo. He answered no: but that the instructions were from Major-General Otis, commanding the Philippine Islands United States forces. After reading the letter they claimed that they had no power to act in cases affecting their federal government, but promised to meet me on my ship to-morrow afternoon.

When we entered their flag was flying from two places in the city. At 3 p. m. today it was not flying. I presume this was because my letter claimed the authority of the Spanish Government over Iloilo, as it was abandoned by the Spanish troops.

They were polite, but I think them determined not to give us control, except we use force, when they will yield without much fighting. They have taken charge of the custom-house and post-office. They know that our troop ships are off Point Luzaron, therefore I ordered them in to-night—not nearer than 6 miles.

The city is quiet, but the white citizens, especially Americans, are afraid. Their force is estimated at 800 well-armed men, 1,000 badly armed men, and 1,000 men with guns, pikes, etc.; ammunition not supposed to be abundant.

I am told now that the members of the commission are afraid to express an opinion in our favor. The fact that their people are in possession of the city has changed the views of the many wavering ones. The longer they remain in possession collecting customs, running post-offices, the more they will be confirmed in the idea that they can do it. I should recommend that force be used at once, in which case I desire the *Callao*, or some other light-draft boat, and the California heavy artillery battalion sent down till the place is taken. With the forces now here and that in addition I would not expect to fire a single shot, as the native troops would move out. I will keep you informed.

Very respectfully,

M. P. MILLER,

*Brigadier-General, U. S. V., Commanding First Separate Brigade.*

The following is a copy of the inclosure referred to in the above communication:

HEADQUARTERS FIRST BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
*Iloilo Harbor, P. I., December 28, 1898.*

COMMANDING OFFICER OF THE TROOPS AT ILOILO, ISLAND OF PANAY,  
AND THE PEOPLE OF ILOILO AND THE ISLAND OF PANAY:

The troops under my command appeared here under an order of the President of the United States of America promulgated by Major-General Otis, commanding all of the troops of the United States in the Philippine Islands. It is accompanied by the United States naval ship *Baltimore*, sent by Admiral Dewey, commanding the United States squadron in these Asiatic waters.

When these orders were communicated to me it was supposed that the troops of Spain were still in possession at Iloilo, and that the transfer of possession and governmental authority would be by them to representatives of the Government of the United States, which has succeeded, by virtue of conquest supplemented by treaty stipulations, to all the rights heretofore exercised by Spain in these islands. Upon arrival I find that the city of Iloilo is in the reported possession of native troops. The intention of this letter is to place myself in communication with those now exercising authority at Iloilo, with the view to the accomplishment of my mission to this place as above indicated.

This communication will be handed you by my aid, Lieut. M. K. Barroll, Third Artillery, who is accompanied by four gentlemen, former residents of Iloilo, who will make known to you more in detail the purposes of the presence of my command at this place.

There accompanies my command on the steamship *Union* certain Spanish soldiers, natives of the island of Pana, whom it is my purpose, at a later date, to release with the privilege of returning to their homes, an act which it is hoped will be interpreted as an evidence of the good will of the major-general commanding in the Philippines, under whose orders I am acting.



I shall be pleased to receive a call from representatives of those to whom this communication is addressed on board the transport *Newport* at as early an hour as your convenience will allow.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V.,  
Commanding First Separate Brigade, Eighth Army Corps.

General Miller's second report, dated December 30, and forwarded by a merchant vessel, is as follows:

HEADQUARTERS FIRST SEPARATE BRIGADE,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., December 30, 1898.

ADJUTANT-GENERAL DEPARTMENT OF THE PACIFIC AND EIGHTH ARMY CORPS.

SIR: I want to report that a committee of people having civil control of the city of Iloilo, and claiming also control of the island, met me here yesterday at 6 p. m., and again claimed that they could not turn over the control of Iloilo to my command without consulting Aguinaldo. Should they agree to do it their lives and property would be in danger. After a long talk, setting forth the intention of our Government, explaining the kind of government, and reading to them extracts of your letter of instructions in reference to the same matter, I told them there was no time to consult Aguinaldo and my demand was that the President of the United States, as successor to the rights of Spain in these islands, required them to turn over the control of the city of Iloilo. I then asked them directly: "Should we land would you meet us with armed resistance?" They could not answer that question. I asked them if they would not have their troops march out of the city and permit us, their friends, to move in without resistance to-morrow, the 31st instant. They requested time to consult with the committee that they represented, promising to return with a definite reply at noon, December 30 (to-day).

Lieutenant-Colonel Potter, corps engineer, arrived here yesterday evening with a letter of instructions from you to me. It is my intention to land troops in twenty-four hours, after having served notice on the foreign consuls of the city and the people to that effect.

The estimate of armed native troops to-day is 3,500, who are said to be massed in the city and at Jaro and Molo, and six or seven thousand from the mountains armed with bolos, who are massed at the same places.

I think I should have the Twentieth Kansas Regiment sent to me as soon as possible; 20,000 rounds of .45 caliber ammunition for Gatling guns should be supplied. Two field mortars (3.6 inches), with equipments and supply of ammunition, should be sent to me at once.

I forward this communication by the steamer *Union*.

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding Brigade.

General Miller's next report is dated December 31, and was received on January 2. It is as follows:

HEADQUARTERS SEPARATE BRIGADE,  
Iloilo Harbor, P. I., December 30, 1898.

COMMANDING GENERAL  
DEPARTMENT OF THE PACIFIC,  
Manila, P. I.

SIR: I have just concluded second conference with commission representing the native government at Iloilo. They submitted a communication, copy inclosed herewith.

This communication was supplemented by verbal statements that if we insisted on landing our troops, but without arms and as friends, they could not answer for the attitude of the people, but that the army would endeavor to restrain the people. If we landed in force they would not answer for attitude of either army or people. This means, plainly, armed resistance to our landing.

A large number of native troops have been brought to the city within the past thirty-six hours. Best estimate 12,000, 2,500 of which are armed with rifles, the remainder being armed with bolos only. Their ammunition supply reported limited.

The situation is further complicated by petition of Iloilo merchants, representing the larger part of mercantile interests there, copy of which find herewith.

I understand, General, that it was at the request of many of the parties signing this petition for protection of life and property at Iloilo that this expedition was organized and dispatched to this point; that their request was largely its justification. Their present attitude contradicts their previous petition in a measure, and

as the situation, if forced by me by a landing of United States troops, promises great loss of life among noncombatants and destruction of private property at Iloilo, I have deemed it best to delay compliance with my orders for a sufficient time to communicate the above information to you and receive your instructions. I am further influenced to this delay because of the fact that before making the formidable attack upon Iloilo now necessary, it would be incumbent upon me to give the usual notice looking to the removal of noncombatants to points of safety.

I entertain no doubt of my ability to take and hold Iloilo with my present force, but in view of excitement prevailing among inhabitants of the city and island as reported to me, and the large number of people assembled in the city, it might be prudent to send an additional regiment to this point.

Two steam launches suitable for towing rowboats for use in landing troops are much needed.

Very respectfully,

M. P. MILLER,  
*Brigadier-General, Commanding.*

The inclosure reads:

[Translation of the letter from President Lopez, of the federal government of Bisayas, to General Miller.]

GENERAL: Upon the return of your commissioners last night we determined and discussed in a definite manner the situation and the attitude of this reason of Bisayas, in regard to its relations and dependence upon the central government of Luzon; and in view of what these commissioners have manifested, I have the honor to notify you that, in conjunction with the people, the army, and committee, we insist upon our pretension not to consent, in our present situation, to any foreign interference without express orders from the central government of Luzon, upon which we state once more that we depend, and with which we are one in ideas, as we have been until now in sacrifices.

Therefore, if you insist on your side upon disembarking your forces, this is our final attitude.

May God give you, etc.

Iloilo, December 30, 1898.

R. LOPEZ,  
*President.*

*Vice Secretary.*

To General MILLER.

The petition of merchants bore the signatures of the leading business men of Iloilo, was of date December 29, and read as follows:

General MILLER,

*Commanding United States Forces, Iloilo Bay:*

We, the undersigned merchants of Iloilo, beg you to take into consideration our large interests and the probable result of a conflict with the natives, which in our belief would seriously prejudice and harm the trade of these islands for years to come. We ask you to consider the orders they have received from their chief, Aguinaldo, of Malolos.

General Miller further reported on same date (probably a later hour of the day) that the situation remained unchanged, except it was rumored that 200 armed men arrived at Iloilo from Negros. He continued:

I this morning requested the commanding officer of the *Baltimore*, if compatible with his instructions, to take such measures as he deemed necessary to prevent the entrance of vessels carrying armed men into the Iloilo River. He happened in after I got my letter written, and I brought the subject up. Orally he informed me that he had no right to do this; that under his instructions he does not feel authorized to commence the attack, and acts in defense of our expedition only.

The insurgents have occupied an old star fort at the point of the peninsula, the site of Iloilo, the fire of which sweeps beaches on which we propose to land. My troops have got to commence the attack; I therefore shall put a mountain and galling gun in boats and open fire on their fort and a storehouse near it filled with troops, at 2,500 yards, thus inviting the captain of the *Baltimore* to help defend us by attacking the enemy to the best effect.

We are aware that on the successful accomplishment of this contest depends the future speedy yielding of insurrectionary movements in the islands. The insurgents

raised their flag over the fort this morning. The action as above entitled will be contingent on future instructions to be received from the department commander.

Very respectfully,

M. P. MILLER,  
*Brigadier-General, U. S. V.*

The excitement in Manila and Malolos over this Iloilo affair became rapidly more intense and manifested itself in unmistakable signs of danger to the still languishing peace should an attack be made by our troops upon that city. Aguinaldo's government was now in full possession of very radical men, the majority of whom desired war in any event, and it was in a great measure dominated by his army. These men desired some immediate action on the part of the United States by which they might be able to arouse the opposition of the inhabitants against its troops, and anticipated hostilities at Iloilo appeared to them to offer the desired material.

I had also incidentally heard from Iloilo that General Miller would probably meet with insurgent opposition should he attempt to make a landing there. Knowing the great desire of the United States Government to maintain peace by all honorable means, maturely considering the situation in Luzon which had been so quickly developed, meditating the transfer later of more troops to Iloilo when the unnatural excitement should be allayed, and an opportunity presenting itself to communicate with General Miller by a British man-of-war, whose captain courteously offered to take any message I might desire to send, I sent on the evening of December 29 the following hastily prepared communication:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., December 29, 1898.*

Brig. Gen. MARCUS P. MILLER, U. S. V.,

*Commanding First Separate Brigade, Eighth Army Corps, Iloilo, Panay.*

SIR: This will be delivered to you by Captain Montgomery, of the British navy, who leaves for Iloilo in the morning. I inclose copy of our translation of a cablegram received to-day in cipher, from which you will understand the position and policy of our Government toward these islands.

Do not be in haste with your negotiations for the surrender of the city. Should there be strong and very decided opposition to your entry, backed by considerable force, do not be in haste. It will not do to bombard the city, nor will it do to let the natives loot and burn it. Foreigners have large possessions there and a great deal of money in the banks. You can remain in the harbor with your force. If you meet with decided or strong opposition, await there further instructions, and if necessary I can direct a portion of your force to other ports in the southern islands, where you will not meet much, if any, opposition. I trust in your discretion.

Very truly, yours,

E. S. OTIS,  
*Major-General, U. S. V., Commanding.*

I contemplated at the time the sending of the First California Vol-unteers to the southern waters as soon as conditions at Manila would justify the weakening of the military force here, and immediately directed that regiment to be put in readiness for embarkation. It was placed on board five small merchant vessels preparatory to sailing at any directed moment, was retained thereon for several days, when Luzon affairs indicating that it might be required for use in Manila in a short time it was returned to its former barracks.

The cablegram referred to in the above letter to General Miller was the proclamation of the President received in cipher. The translation was completed about an hour before the letter was written, and was transmitted to General Miller to inform him of the policy which the Government intended to pursue. Neither its contents nor feasibility of immediate issue had been carefully considered. No direction for its publication had been given and it was not supposed that it would be

proclaimed at Hoilo. The general, however, under the impression that it had been transmitted for publication, issued it very soon after it was received, and in his letter of January 6 informed me as follows:

Three days ago I sent to the governing committee (R. Lopez, president) a copy of the letter of instructions of the President and asked that they permit the entry of my troops. No answer has been received and I expect none. I had copies of the President's instructions translated into Spanish and distributed to the people in various ways, and am informed that the people laugh at it. The insurgents call us cowards and are fortifying the old fort at the point of the peninsula, and are mounting old smooth-bore guns left by the Spaniards. They are intrenching everywhere, are bent on having one fight, and are confident of victory. As I informed you in my letter of yesterday, I believe that we can now capture the city with the force now present and with the assistance of the Navy without the loss of much life and without much destruction of property, and should we destroy it all I believe it would be of advantage to the city, as a newer city would be built up soon. The character of the natives, having been under the subjugation of Spain so long, is such that once well punished they will submit to fate. The people are superstitious and believe in fate, and now believe that fate will give them victory.

His letter of the previous day, January 5, is as follows:

HDQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Hoilo Harbor, P. I., January 5, 1899.

ADJUTANT-GENERAL DEPARTMENT OF THE PACIFIC AND EIGHTH ARMY CORPS.

SIR: I have the honor to report the situation as quite serious. The native troops now number over 4,000 well-armed men. There are more than 12,000 armed with bolos and miscellaneous weapons. They are constantly intrenching about the fort and at the mouth of the Hoilo River. I do not allow anyone on shore, as the insurgent commander sent me word that he would not be responsible for our unarmed men in town. \* \* \*

Last evening about 6.40 o'clock, just at dark, while at supper, the captain of the water boat went toward the rear of the boat, where the guard was stationed, and suddenly sprang at the guard with a knife, cut the head of one of the guard through the skull, and the other one on the arm and jaw; the latter was knocked overboard and then struck by the native on the head with an oar. One native then jumped overboard and escaped; the two others were secured. A boat from the ship was lowered and picked up the soldier in the water, who is not badly hurt. The soldier cut on the head is likely to die, but there is a slight hope of his recovery.

I think the longer we wait before attack the harder it will be to put down the insurrection.

The city is entirely at the mercy of the *Baltimore*, and with her assistance, advancing under her guns and Captain Bridgman's battery, I have no doubt we can drive the insurgents out of the city, but their army will confront us outside. That situation would be intolerable, even if firing ceases. I would therefore recommend that a force sufficient to beat them badly in the open field should be prepared ready to send down, if required, after the city is taken. Let no one convince you that peaceful measures can settle the difficulty here, unless you first settle matters peacefully in Manila and Luzon Island.

\* \* \* \* \*  
The English and German war ships and all other large vessels in the harbor have daily received refugees from the city. Many of the city people with their effects are leaving on small coasting steamers for neighboring islands.

Order appears to be maintained in the city, except for Americans who feel humiliated and want to get at them.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding.

After fully considering the President's proclamation and the temper of the Tagalos with whom I was daily discussing political problems and the friendly intentions of the United States Government toward them, I concluded that there were certain words and expressions therein, such as "sovereignty," "right of cession," and those which directed immediate occupation, etc., though most admirably employed and tersely expressive of actual conditions, might be advantageously used by the Tagalo war party to incite widespread hostilities among the natives. The ignorant classes had been taught to believe that certain

words, as "sovereignty," "protection," etc., had peculiar meaning disastrous to their welfare and significant of future political domination, like that from which they had recently been freed. It was my opinion, therefore, that I would be justified in so amending the paper that the beneficent object of the United States Government would be brought clearly within the comprehension of the people, and this conclusion was the more readily reached because of the radical change of the past few days in the constitution of Aguinaldo's government, which could not have been understood at Washington at the time the proclamation was prepared. It was also believed that the proclamation had been induced partially by the suggestions of the naval authorities here, which three weeks previous, and while affairs were in a specific and comparatively quiet state, had recommended "that the President issue a proclamation defining the policy of the United States Government in the Philippine Islands and assuring the inhabitants that it is our intention to interfere as little as possible in the internal affairs of the islands. That as soon as they developed their capability for self-government their powers and privileges will be increased. That will allay the spirit of unrest." These authorities at that time recommended the government of the islands as a territory with a civilian as a governor, to be followed later by a naval and military commission to determine questions of a naval and military character.

The amended proclamation was thereupon prepared, and fearing that General Miller would give publicity to the former, copies of which, if issued, would be circulated soon in Luzon, I again dispatched Lieutenant-Colonel Potter to Iloilo, both to ascertain the course of events there and to advise the commanding general of the dangers threatening in Luzon, and which might be augmented if any action was taken which the insurgents could make use of in furtherance of their unfriendly designs. General Miller thought his action in making publication of the proclamation on January 3 correct, as he had not been instructed to the contrary, and his opinion, he contended, was confirmed by a War Department dispatch which I had directed Colonel Potter to deliver to him, and which he had received on January 6. He was satisfied that the use he had made of the proclamation was that contemplated by the War Department authorities, but it was not long before it was delivered at Malolos and was the object of venomous attack.

Nothing further of great moment transpired at Iloilo for several successive days, and we return to the narrative of Manila events. General Miller, however, remained eager for battle, and with his command restive under the taunts of the natives and criticisms of foreign citizens, he repeatedly asked for permission to attack the city. Complications of a civil nature were also arising as shown in his communication of January 8, of which the following is a copy:

HQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
*Iloilo Harbor, P. I., Sunday, January 8, 1899—2 p.m.*

ADJUTANT-GENERAL DEPARTMENT OF THE PACIFIC AND EIGHTH ARMY CORPS.

SIR: I have the honor to report, for the information of the major-general commanding, that the situation here is not improving since my last report. I have not landed the Fifty-first Iowa on the island opposite to Iloilo, as two boat crews of troops of the Fifty-first Iowa landed on the 5th instant, and were met by over 75 to 100 natives armed with various weapons, rifles, shotguns, and knives, who asked them their business and warned them off with threats of bringing out more troops if they did not go away. The men of the regiment are well, and the colonel does not desire to land under such circumstances of hostility. The insurgents are still at work fortifying; last night they sunk four mud sews at the mouth of the Iloilo River to prevent passage of our Navy. This did not annoy us, as the *Petrel's* place for action, if we

have one, is undisturbed. The city is so completely under the control of the war-ships of the Navy that we are indifferent as to what the insurgents do. When the time comes nothing can save insurgents in the city but flight. The subject most disturbing to our American minds is the fact that a Dutch ship is loading with sugar; who shall collect the duty is a question. Captain Evans and I discussed the question last evening without conclusion. The duties will amount to \$5,000, quite a snug sum, with which the insurgents will be able to buy machine guns, etc., if we leave them alone. Other ships arriving will add more and more to their revenues:

The port ought to be closed if it is a practicable thing, after due notice to foreign governments. We need here two good steam launches capable of towing a line of rowboats rapidly for landing purposes. We can not get them here without seizing them, and the good ones are under the protection of foreign flags.

As to the insurgents yielding to the order of the President and allowing occupation, it will not be done unless the central government at Malolos directs them to do so. If we have to fight at Manila and here, I should think it better to strike the first blow here, as, with the assistance of the Navy, result in our favor can scarcely be doubted.

Very respectfully,

M. P. MILLER,

*Brigadier-General, U. S. V., Commanding.*

Full official Iloilo correspondence which was carried on about this date, together with reported interviews on the situation, will be found in the accompanying report of Brigadier-General Hughes, U. S. V., now commanding there. They are of interest and of considerable importance in showing the then existing attitude of Spanish civil officials toward our Government.

The amended proclamation of January 4 appeared in the English, Spanish, and Tagalo languages, and was published in Manila through newspapers and posters. The English text is as follows:

#### PROCLAMATION.

OFFICE OF THE MILITARY GOVERNOR OF THE PHILIPPINE ISLANDS,

*Manila, P. I., January 4, 1899.*

*To the People of the Philippine Islands:*

Instructions of His Excellency the President of the United States relative to the administration of affairs in the Philippine Islands have been transmitted to me by direction of the honorable the Secretary of War, under date of December 28, 1898. They direct me to publish and proclaim, in the most public manner, to the inhabitants of these islands that in the war against Spain the United States forces came here to destroy the power of that nation and to give the blessings of peace and individual freedom to the Philippine people; that we are here as friends of the Filipinos; to protect them in their homes, their employments, their individual and religious liberty, and that all persons who, either by active aid or honest endeavor, cooperate with the Government of the United States to give effect to these beneficent purposes, will receive the reward of its support and protection.

The President of the United States has assumed that the municipal laws of the country in respect to private rights and property and the repression of crime are to be considered as continuing in force in so far as they be applicable to a free people, and should be administered by the ordinary tribunals of justice, presided over by representatives of the people and those in thorough sympathy with them in their desires for good government; that the functions and duties connected with civil and municipal administration are to be performed by such officers as wish to accept the assistance of the United States, chosen in so far as it may be practicable from the inhabitants of the islands; that while the management of public property and revenues and the use of all public means of transportation are to be conducted under the military authorities, until such authorities can be replaced by civil administration, all private property, whether of individuals or corporations, must be respected and protected. If private property be taken for military uses it shall be paid for at a fair valuation in cash if possible, and when payment in cash is not practicable at the time, receipts therefor will be given to be taken up and liquidated as soon as cash becomes available. The ports of the Philippine Islands shall be open to the commerce of all foreign nations, and goods and merchandise not prohibited for military reasons by the military authorities shall be admitted upon payment of such duties and charges as shall be in force at the time of importation.

The President concludes his instructions in the following language:

"Finally, it should be the earnest and paramount aim of the Administration to

win the confidence, respect, and affection of the inhabitants of the Philippines by insuring to them in every possible way the full measure of individual rights and liberty which is the heritage of a free people, and by proving to them that the mission of the United States is one of beneficent assimilation, which will substitute the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, while upholding the temporary administration of affairs for the greatest good of the governed, there will be sedulously maintained the strong arm of authority to repress disturbance, and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands."

From the tenor and substance of the above instructions of the President, I am fully of the opinion that it is the intention of the United States Government, while directing affairs generally, to appoint the representative men now forming the controlling element of the Filipinos to civil positions of trust and responsibility, and it will be my aim to appoint thereto such Filipinos as may be acceptable to the supreme authorities at Washington.

It is also my belief that it is the intention of the United States Government to draw from the Filipino people so much of the military force of the islands as is possible and consistent with a free and well-constituted government of the country, and it is my desire to inaugurate a policy of that character. I am also convinced that it is the intention of the United States Government to seek the establishment of a most liberal government for the islands, in which the people themselves shall have as full representation as the maintenance of law and order will permit, and which shall be susceptible of development, on lines of increased representation and the bestowal of increased powers, into a government as free and independent as is enjoyed by the most favored provinces of the world.

It will be my constant endeavor to cooperate with the Filipino people, seeking the good of the country, and I invite their full confidence and aid.

E. S. OTIS,

*Major-General, U. S. A., Military Governor.*

Before publication of this proclamation I endeavored to obtain from able Filipino residents of the city an expression of opinion as to its probable effect upon the population, but was not much encouraged. A few days thereafter they declared the publication to have been a mistake, although the foreign residents appeared to believe the proclamation most excellent in tone and moderation, offered everything that the most hostile of the insurgents could expect, and undoubtedly would have a beneficial influence. It was received by the better classes of natives with satisfaction, as it was the first authoritative announcement of the attitude which the United States assumed toward the islands and declared the policy which it intended to pursue, and because the declared policy was one which, in their opinion, conditions imperatively demanded should be imposed for the interests of the Filipino people who were incapable of self-government. The publication separated more widely the friendly and war factions of the inhabitants and was the cause of exciting discussion.

The ablest of insurgent newspapers, which was now issued at Malolos and edited by the uncompromising Luna, he who had been an openly declared enemy of the United States from the time Manila capitulated, subsequently commanded an insurgent army and was assassinated while exercising chief military command of the insurgent forces, attacked the policy of the United States as declared in the proclamation, and its assumption of sovereignty over the islands, with all the vigor of which he was capable. He went further and contended that the policy as declared was merely a subterfuge to temporarily quiet the people until measures could be inaugurated and applied to put in practice all the odious features of government which Spain had employed. Everything tended simply to a change of masters for the Filipino people without amelioration of condition. This paper was published in Tagalo, had a considerable circulation, and was assisted by other Tagalo publications. No statement reflecting upon the United States Government and its

troops in Manila was too base, untruthful, or improbable for newspaper circulation, and unfortunately received credit by the more ignorant of the natives, although the subject of ridicule or indignant comment by the abler Filipinos. Aguinaldo met the proclamation by a counter one in which he indignantly protested against the claim of sovereignty by the United States in the islands, which really had been conquered from the Spaniards through the blood and treasure of his countrymen, and abused me for my assumption of the title of military governor. Even the women of Cavite province, in a document numerously signed by them, gave me to understand that after all the men were killed off they were prepared to shed their patriotic blood for the liberty and independence of their country. The efforts made by Aguinaldo and his assisants made a decided impression on the inhabitants of Luzon outside of Manila, who acquired an unfavorable opinion, to say the least, of an American citizen, whom of course few of them had ever seen. The insurgent army was especially affected by this tirade of abuse of Americans, but agreeably so, as it had met and conquered the soldiers of Spain and only awaited an opportunity to demonstrate its invincibility in war with the United States troops cooped up in Manila and whom it had commenced to insult and charge with cowardice. Shortly before this time the insurgents had commenced the organization of clubs in the city, membership in which now, I was informed, amounted to 10,000. The chief organizer was a shrewd mestizo, a former close companion of Aguinaldo, by whom he had been commissioned to perform this work. He was a friend and associate of some of our officers; was engaged in organizing the clubs only, as he stated, to give the poorer classes amusement and education; held public entertainments in athletics to which our officers were invited, and in which our soldiers were asked to participate. Gradually arms were being secretly introduced and bolos were being manufactured and distributed. The arms were kept concealed in buildings, and many of them were subsequently captured. The Chinamen were carrying on a lucrative business in bolo making, but the provost-marshal had cruelly seized considerable of their stock. These clubs had received military organization and were commanded by cunning Filipino officers regularly appointed by the Malolos government. The chief organizer departed after organization had been perfected and thereafter became a confidential adviser in Malolos affairs. This organization was the subject of grave apprehension, as it was composed of the worst social element of the city, and was kept under police supervision as closely as possible. It was also dreaded by the better class of Filipino inhabitants, many of whom believed themselves selected for assassination on account of their expressed desires for American protection. The streets of the city were thronged with unarmed insurgent officers and enlisted men from the numerically increasing insurgent line on the outskirts, proud of their uniforms and exhibiting matchless conceit, amusing to our men, who were apparently unconcerned observers, but who were quick to take in the rapidly changing conditions.

In the midst of this suppressed excitement the city was comparatively quiet, crime well suppressed, and business interests were flourishing. The merchants were active to take advantages of all avenues of trade possible. Vessels were sent to the China coasts for products to supply the southern ports, entered and cleared at the port of Iloilo against the protest of General Miller, and paid the accustomed charges on dutiable goods and products to the insurgents, who had installed themselves there. United States consuls at Singapore and Hongkong asked the



perplexing question whether vessels could be cleared for Iloilo and Cebu, and could be answered evasively only, as follows:

MANILA, P. I., *January 2, 1899.*

United States Consul-General WILDMAN, *Hongkong*:

United States not yet administering civil affairs at either Iloilo or Cebu. No new consular action as to these ports should be inaugurated at present.

OTIS.

The Manila Chamber of Commerce took this matter up for investigation and saw that the rights of merchants in ports virtually at war with the United States were denied. I was called upon for an explanation and addressed its secretary as follows:

SIR: I am in receipt of the communication of the Manila Chamber of Commerce of yesterday, the 12th instant, in which I am informed that "the American consul at Hongkong declines to dispatch steamers or vessels for Cebu and Iloilo; also, that American authorities here will not allow a steamer to come here with permission to proceed to Cebu, and request information as to the course to be pursued in the immediate future by the American authorities with regard to the above-named ports."

In reply, I have the honor to inform you that the United States consul at Hongkong having, on the 6th instant, made inquiry in the matter of clearing vessels at Hongkong for Iloilo and Cebu, was answered on the 9th instant, by cable, as follows:

"The United States not yet administering civil affairs at either Iloilo or Cebu. No new consular action as to these ports should be inaugurated at present."

This message to the American consul is not considered authoritative by any means, as we have no authority to give him directions, and the matter of clearing vessels at Hongkong rests entirely within his discretion.

To the categorical questions which you submit I am pleased to return answer as follows:

To the first question my answer is: Not by any act of the United States authorities at Manila.

To the second question I reply that: Trade can be conducted, in so far as the United States authorities now in occupancy of these islands are concerned, the same as formerly. Vessels will be cleared from this port for ports of the islands until instructions received from my Government indicate a contrary course of action.

To the third question I can only answer that: All the instructions thus far received from my Government are embodied in the proclamation issued from this office on the 4th instant, which I inclose and to which I respectfully refer.

The consul for Great Britain wished to know why a British steamer had been suspiciously dealt with and was replied to as follows:

SIR: I have the honor to acknowledge the receipt of your communication of this date, and to say in reply that the matter referred to therein will be investigated. It is reported that the steamer *Zircena* arrived from Singapore with a general cargo, a part of which it appears is destined for Iloilo by same vessel. From reports received and declarations made it was believed that she had on board contraband of war. The reports received justified the action which has been taken in so far as search was concerned.

And again inquiring concerning seizure at Manila of a small steamer, in which a British subject claimed to be interested, he received the following reply:

MANILA, P. I., *January 2, 1899.*

Hon. H. A. RAMSDEN,

*H. B. M. Consul, Manila, P. I.*

SIR: I have the honor to acknowledge the receipt of your communication of the 31st ultimo, inclosing copies of correspondence between yourself and Messrs. Holliday, Wise & Co., in the matter of the seizure by the United States authorities of the steamer *Laguna de Bay* in the Pasig River.

The seizure of this vessel became necessary for Government purposes, and before it was made the owner of the same had been consulted. Later, Mr. Ashton, in your company, called upon me at this office, when I assured him that the Government would not allow the steamer to engage in private trade on the Pasig River, and that it was prepared to make good to parties concerned any loss which Government action would entail. At the time of this conference I was under the impression that the

captain of the port had given permission for this boat to navigate the Pasig River, but have been informed to the contrary. It is hoped that this matter can be satisfactorily adjusted in a few days.

Very sincerely, yours,

E. S. OTIS,  
*United States Military Governor.*

In the meantime the local Spanish authorities were present and desired to close up the pending international business. As early as December 28, I was informed by the superior Spanish officer present that the treaty of peace had been concluded and that he wished to take up the settlement of affairs. I replied that I had not received any information or instructions in the matter, but as soon as received would cooperate with him in every way possible. On the following day he applied for permission to leave the islands. He was a prisoner of war, in fact, supervising the affairs of the Spanish prisoners present in Manila. A high-toned gentleman, a most courteous and accomplished officer, our official relations had always been pleasant and agreeable. I replied to his application in the following terms:

OFFICE OF THE UNITED STATES MILITARY GOVERNOR,  
*Manila, P. I., December 29, 1898.*

Division General FRANCISCO RIZZO,  
*Commanding Spanish Forces, Manila, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your letter of this instant requesting passport to return to Spain next month, and in reply thereto I hasten to inform you that you are free to leave at any time you may desire, and that it will give me great pleasure to render you every assistance that you may need in making the necessary preparations for your departure on so long a voyage.

I am, General, with much esteem, your obedient servant,

E. S. OTIS,  
*Major-General, U. S. F., United States Military Governor.*

Shortly thereafter General Rios, general of division of the Spanish army, who had been commanding in the south, arrived in Manila. He had been directed by his Government to supervise, as acting governor-general, Spanish interests in the islands, and at once addressed himself vigorously to the settlement of affairs and the shipment of Spanish prisoners, for which I had received authority. In personal conferences, through numerous communications and written requests, he occupied considerable of the time of the United States authorities, although it was as yet impossible to consider many of the matters which he presented, since the Paris treaty had not received ratification. A few responses to the letters he submitted indicate the variety of the subjects which he wished promptly attended to and the difficulties of compliance. They are as follows:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
*Manila, P. I., January 9, 1899.*

His Excellency DIEGO DE LOS RIOS Y NICALAU,  
*General of Division, Spanish Army, Manila, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your letter of this instant, referring to embarkation of Spanish troops, prisoners of war, on the 11th instant, and to say in reply that there is no objection on the part of the United States Government, and that I will give appropriate instructions to the officials having charge of such business to have your excellency's desires consummated.

Very respectfully, your obedient servant,

E. S. OTIS,  
*Major-General, U. S. F.,  
United States Military Governor in the Philippines.*

JANUARY 10, 1899.

GENERAL: In a hurried communication of last evening, sent in response to your letter of yesterday, in which you inform me that you must discharge in Mindanao, about

2,000 troops who were taken there from the Visayan and Luzon islands, and further say that it is impossible to scatter them to their several homes, I suggested that the Visayans might be taken to Iloilo and I will see that the necessary orders are given to the United States authorities there to permit them to land upon arrival. The Luzon men will probably give great trouble if they are brought into the harbor of Manila at the present time. Many of those already received here escaped from the authorities, and with the convicts sent by you have fixed themselves in Manila, where they give a good deal of annoyance. We can not receive any more of these troops in the city at present, and I wish you would delay sending them to this island. After a short period we may be able to take them and send them to their respective homes. I am very desirous of giving this matter full consideration before arriving at further conclusions.

I would like to be informed of the approximate number of Visayans, and also the number of Luzon men you intend to bring north, stating each class separately.

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JANUARY 12, 1899.

GENERAL: I have the honor to acknowledge the receipt of your communication of the 10th instant, in which you request me to direct my officers to hand over to the chiefs of the several departments of the Spanish hacienda certain public documents belonging to the Spanish Government, etc.

In reply permit me to state that since our late conversation on this subject I telegraphed my Government of your desire in this particular and I have not yet received any response.

Being, as I am, entirely ignorant, in so far as official information is concerned, of the relations existing between Spain and the United States at the present time, I do not think that I have the power to act favorably upon your request until the instructions of my Government are received.

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JANUARY 14, 1899.

GENERAL: I have the honor to acknowledge the receipt of your letter of the 21st instant, referring to your wish to appoint a Spanish clerk in the Manila post-office, and in reply would say that I am unable to grant your request, as the appointment of all postal clerks is under the exclusive control of the Post-Office Department of the United States.

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JANUARY 16, 1899.

GENERAL: I have the honor to acknowledge the receipt of your letter of the 15th instant just received, referring to the embarkation of about 400 Spanish troops, prisoners of war, on the steamship *Monserrat*, and to say in reply that there is no objection on the part of the United States. Appropriate instructions will be given to the officials having charge of such business in order that your excellency's desires may be consummated.

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JANUARY 20, 1899.

GENERAL: I have the honor to acknowledge the receipt of your letter of yesterday received this morning, in which you inform me that there are about 630 native troops here belonging to the Visayas.

As soon as you desire to assemble the men and turn them over, I can send them to Iloilo under proper guard. Concerning the Luzon men, we will be glad to send them to some point nearer Manila than Albay.

I have instructed General Hughes to make all necessary arrangements for the shipment of the Visayans and he will confer with any officer you may be pleased to name in regard to the matter.

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JANUARY 24, 1899.

GENERAL: I have given instructions to the custodian and treasurer of public funds to permit any committee whom you may appoint to examine the books and records of that office for the period of time previous to American occupation of Manila.

The treasurer will be pleased to show you exhibits of the contents of the safes of the Treasury as reported by board of officers appointed under authority from these headquarters. The safes were sealed after this board had inventoried the contents and have not since been opened.

JANUARY 25, 1899.

GENERAL: I have the honor to acknowledge the receipt of your letter of the 24th instant, and in reply to say that I have directed the captain of the port to permit the ladies, children, and Mr. Ricardi Fernandez and his assistant, now on the *General Alva*, to land. I have also directed him to permit the officers upon that vessel to visit you on official business, and to permit a small party to land daily for the purpose of purchasing supplies.

JANUARY 26, 1899.

GENERAL: I have the honor to acknowledge the receipt of your letter requesting that the regimental records, books, and documents belonging to the Spanish troops formerly occupying certain barracks of this city be returned to you. In accordance with your request I will instruct the provost-marshal-general to turn over to any officer whom you may name to receive the same, all records belonging to Spanish regiments which are in the possession of the United States authorities.

It should be remembered that at the time United States occupation of the city commenced a great deal of public property was abandoned by the Spanish officials, never having been turned over under the terms of the capitulation. The United States authorities have collected and preserved all such property in so far as it was possible for them to do so.

MANILA, P. I., January 26, 1899.

Brig. Gen. VICENTE ARIZMENDIZ,  
*Spanish Army, Manila, P. I.*

SIR: I am directed by the military governor to acknowledge the receipt of your letter of the 24th instant, referring to a commission of the Spanish army of which you had been appointed president by his excellency General Diego de los Rios, Spanish army, and in reply to say that he has not yet received any information as to the terms of the treaty of peace between the Governments of Spain and the United States, now awaiting ratification, and that he is not therefore at this time prepared to enter upon the subject of the final disposition of Spanish troops, records, funds, and property under the control of the United States forces in the Philippine Islands.

Very respectfully,

C. H. MURRAY,  
*Captain, Fourth U. S. Cavalry, Aid.*

MANILA, January 29, 1899.

His Excellency DIEGO DE LOS RIOS Y NICALAU,  
*Division General, Spanish Army, Manila, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your communication of yesterday, and beg to reply that instructions have been given to the United States officer who was placed in supervisory charge of the building containing the mint to give the necessary orders to enable you to carry out your expressed wish.

Very respectfully, your obedient servant,

E. S. OTIS,  
*Major-General, U. S. V., U. S. Military Governor.*

JANUARY 31, 1899.

GENERAL: Replying further to your communication of the 17th instant, to that portion of the same which asks that "permission be given for the withdrawal of everything concerning the settlement in hand and which does not affect the treasury of the establishment, properly speaking," I have the honor to state that I have received as yet no instructions from the United States Government concerning these matters, and am ignorant of the terms of the pending treaty between Spain and the United States, now awaiting ratification. I am, therefore, powerless to act understandingly until I receive information and directions from Washington, which will doubtless be furnished me as soon as the proposed treaty receives validity.

In the meantime I shall be glad to further your desires in every way in so far as I am able, and it will be possible for me to adopt some preliminary measures, subject to future confirmation.

The inference may be drawn from the tenor of the foregoing replies to the written application of General Rios, that time was sought to

properly meet his demands. Time was required to consider fully what specific action was necessary to guard United States interests and its rights under the treaty, which was not yet of validity, not having received ratification. But it was also deemed inexpedient to enter upon any course of proceedings which would embarrass the United States Government in case the proposed treaty should ultimately fail of confirmation. Not until January 31 were the preliminaries of any decided course determined upon, except in so far as the repatriation of prisoners and the surrender of strictly military property and records were concerned. Then a board of officers was appointed for the purposes shown in Department orders of that date, which read as follows:

1. A board of officers, to consist of Maj. Charles McClure, chief paymaster of the department; Maj. C. U. Gantenbein, Second Oregon, U. S. V., and Second Lieut. M. A. Hildreth, First North Dakota, U. S. V., is hereby appointed to meet and confer with a committee named by his excellency Division General Diego de los Rios y Nicanal, Spanish Army, for the purpose, as stated, "of clearing the accounts of the Spanish Government in the Philippines." The board will determine upon some definite course of procedure by which the Spanish committee can have access to all records and documents now in possession of the United States authorities which it may desire to consult, and will arrange therefor. No property or records can be delivered until the proposed treaty receives validity through ratification, and the board will continue its sessions anticipating that event, when definite instructions looking to a settlement of public affairs, judicial and executive, can be conveyed. The board will ascertain fully the desires of the committee as to the nature and full extent of its desired action and give it every possible facility consistent with the present status of affairs.

On January 31 261 commissioned officers and 2,541 enlisted men, prisoners of war, and about 200 sick officers, also prisoners, who departed individually under privileges specially granted, had sailed for Spain. Several thousand remained within the walled town, whose probable conduct in the event of serious disturbances within the city was the subject of much speculative discussion.

From August, 1898, to the time the treaty of Paris came from the representatives of the contracting Governments, the insurgents had maintained their military lines around Manila on the plea that they desired to be prepared to meet the soldiers of Spain, should she return to her late possessions. As soon as the result of the treaty negotiations became known, the dishonesty of that plea became fully apparent. Then the crisis in the insurgent government was at hand. Aguinaldo and his able adviser, Mabini, the man who had furnished the brains for the radical element and who, in fact, was the government, proposed to transfer the declaration of open hostilities from Spain to the United States. This the conservative members of the cabinet and congress would not countenance, and the result was their withdrawal. Mabini was able to form a new cabinet with himself as dictator, and to dominate the remaining members of congress. Independence was the cry and the extermination of the Americans the determination. They then sought an excuse to inaugurate hostilities, but the United States had kept strictly within its legal rights and had simply performed its international obligations. Repeated efforts were made to secure some mark of recognition for their government from the American authorities, some of which appeared to be quite cunningly devised. I was addressed by so-called ministers of state on diplomatic subjects, and was visited by accredited members of the Malolos government. The various foreign consuls resident in Manila were officially informed by this government of its proceedings and furnished with copies of its so-called decrees. Never since the time Aguinaldo returned to Cavite in May of 1898 and placed himself under the masterful spirit of Mabini had he the slight-

est intention to accept the kind offices and assistance of the United States, except as they might be employed to hold Spain throttled while he worked the scheme of self-aggrandizement. His success was not in the least astonishing, as after the various islands had driven out the few remaining and discouraged soldiers of their openly declared enemy, they naturally turned to Luzon for some form of central government, the islands of the south being well aware of their inability to maintain successful separate and distinct political establishments. The crude one in process of formation in central Luzon offered itself through its visiting agents and was accepted in part (notwithstanding race animosities and divergent business interests) and very probably because no other alternative was offered. The eight months of opportunity given the ambitious Tagalo by the hold on Spain which the United States maintained was sufficient also for him to send his troops and designing men into the distant provinces and hold the unarmed natives in subjection while he imposed military authority, and thus in December, 1898, we find in northern and southeastern Luzon, in Mindoro, Samar, Leyte, Panay, and even on the coast of Mindanao and in some of the smaller islands, the aggressive Tagalo, present in person, and whether civilian or soldier, supreme in authority. The success which attended the political efforts of Aguinaldo and his close associates, and gave them such sudden and unexpected power was not calculated to induce them to accept subordinate positions in a reestablished government, and the original premeditated intention to control supremely at least a portion of the Filipino people had become firmly fixed. The cry for liberty and independence (really license and despotism under their governing methods) and the vile aspersions of the motives of the United States, which they have widely circulated, have served them to stir up distrust and fear of the American among the people to a considerable extent, especially those of Tagalo origin. The charge which they continually brought, until December last, that the United States administration in power intended to restore the islands to Spain, which until then was the chief cause of discontent and excitement, and in the asserted truth and circulation of which they were greatly assisted by the Spanish, resident and representative, fell flat when the result of the labors of the Paris treaty commissions became known. Then the pretext that the United States was about to substitute itself for Spain, continuing all her former governing abuses, including the imposed authority of the hated friar, was resorted to and had its effect on the ignorant masses. Whatever action the United States might now take, except to immediately withdraw its authority and subject the people to anarchy and the European vast property interests in these islands to destruction, could be so tortured as to support this pretext. It was eagerly waited for by the now irresponsible band of conspirators at Malolos, few of whom had anything to lose and everything to gain by inciting hostility. The United States proclamation issued on the 4th of January offered them the first opportunity and was the opportunity which they desired. No sooner was it published than it brought out a virtual declaration of war from, in this instance at least, the wretchedly advised President Aguinaldo, who, on January 5, issued the following:

The government of the Philippines has considered it its duty to set forth to the civilized powers the facts determining the rupture of its amicable relations with the army of the United States of America in these islands, to the end that they may thereby reach the conviction that I, for my part, have done everything possible to avoid it, although at the cost of many rights uselessly sacrificed.

After the naval combat, which occurred on May 1 of last year, between the Spanish squadron and that of America, the commander of the latter consented to

my return from Hongkong to this beloved soil, and he distributed among the Filipinos some rifles found in the arsenal at Cavite, doubtless with the intention of reestablishing the revolution, somewhat quieted by the convention of Biac-nabato, in order to have the Filipinos on his side.

The people, influenced by the declaration of war between the United States and Spain, understood the necessity of fighting for their liberty, feeling sure that Spain would be destroyed and rendered incapable of leading them along the road to prosperity and progress. The Filipinos hailed my advent with joy, and I had the honor of being proclaimed leader on account of the services which I had rendered in the former revolution.

Then all the Filipinos without distinction of classes took arms, and every province hastened to expel from its frontiers the Spanish forces. This is the explanation of the fact that, after the lapse of so short a period of time, my government rules the whole of Luzon, the Visaya Islands, and a part of Mindanao.

Although the North Americans took no part in these military operations, which cost no little blood and gold, my government does not disavow the fact that the destruction of the Spanish squadron and the gift of some rifles from the arsenal to my people influenced the progress of our arms to some extent. It was also taken for granted that the American forces would necessarily sympathize with the revolution which they had managed to encourage, and which had saved them much blood and great hardships; and, above all, we entertained absolute confidence in the history and traditions of a people which fought for its independence and for the abolition of slavery, which posed as the champion liberator of oppressed peoples; we felt ourselves under the safeguard of a free people.

The Americans, seeing the friendly disposition of the Filipino people, disembarked forces at the town of Paranaque and took up positions all along the line occupied by my troops, as far as Maytubig, taking possession of many trenches constructed by my people, by the employment of astuteness, not unaccompanied by violence. They forced a capitulation on the garrison of Manila, which, inasmuch as it was invested by my troops, was compelled to surrender at the first attack. In this I took a very active part, although I was not notified, my forces reaching as far as the suburbs of Malate, Ermita, Paco, Sampaloc, and Tondo.

Notwithstanding these services, and although the Spaniards would not have surrendered but for the fact that my troops had closed every avenue of escape to the towns of the interior, the American generals not only ignored me entirely in the stipulations for capitulation, but also requested that my forces should retire from the port of Cavite and the suburbs of Manila.

I represented to the American generals the injustice done me, and requested in friendly terms that they should at least expressly recognize my cooperation, but they utterly declined to do so. Nevertheless, being always desirous of showing friendliness and good feeling toward those who called themselves liberators of the Philippine people, I ordered my troops to evacuate the port of Cavite and the suburbs of Ermita, Malate, Sampaloc, and Tondo, retaining only a portion of the suburb of Paco.

In spite of these concessions, not many days passed before Admiral Dewey, without any reason whatever, arrested our steam launches, which had been plying in the bay of Manila with his express consent. Almost at the same time I received a letter from General Otis, commander of the American army of occupation, demanding that I should withdraw my forces beyond the lines marked on a map which he also sent me, and which showed within the lines the town of Pandacan and the hamlet of Singalong, which never have belonged to the municipal area of Manila and its suburbs.

In view of this unjustifiable attitude of both American leaders, I summoned a council of my generals and asked the advice of my cabinet, and in conformity with the opinion of both bodies I named commissioners, who placed themselves in communication with these Americans. Although Admiral Dewey received in an insolent manner and with aggressive phrases my commissioners, whom he did not permit to speak, I yielded to the friendly suggestions of General Otis, withdrawing my forces to the desired line for the purpose of avoiding contact with his troops. This gave rise to many misunderstandings, but I hoped that once the Paris conference was at an end my people would obtain the independence promised them by the consul-general in Singapore, Mr. Pratt, and that the friendship formerly assured and proclaimed in manifestoes and speeches would be established by the American generals who have reached these shores.

But it did not turn out thus. The said generals accepted my concessions in favor of peace and friendship as indications of weakness. Thus it is that, with rising ambition, they ordered forces to Iloilo on December 26, with the purpose of acquiring for themselves the title of conquerors of that portion of the Philippine Islands occupied by my government.

Such procedures, so foreign to the dictates of culture and the usages observed by civilized nations, gave me the right to act without observing the usual rules of

intercourse. Nevertheless, in order to be correct to the end, I sent to General Otis commissioners charged to solicit him to desist from his rash enterprise, but they were not listened to.

My government can not remain indifferent in view of such a violent and aggressive seizure of a portion of its territory by a nation which has arrogated to itself the title, champion of oppressed nations. Thus it is that my government is disposed to open hostilities if the American troops attempt to take forcible possession of the Visaya Islands. I denounce these acts before the world, in order that the conscience of mankind may pronounce its infallible verdict as to who are the true oppressors of nations and the tormentors of human kind.

Upon their heads be all the blood which may be shed.

EMILIO AGUINALDO.

MALOLOS, *January 5, 1899.*

A number of copies of this unfortunate declaration were speedily sent out for circulation among the people, when an effort was made to recall them and substitute an amended edition, but a few had found their way to Manila and were eagerly sought after by the citizens. That evening the insurgent newspaper entitled "The Herald of the Revolution" published a supplement in which the following appeared:

#### OFFICIAL MANIFESTO OF THE PRESIDENT OF THE REVOLUTIONARY GOVERNMENT!

To my brothers, the Filipinos, and to all the respectable consuls and other foreigners:

A proclamation of Mr. E. S. Otis, major-general of the United States Volunteers, appeared in Manila papers yesterday, compelled me to issue the present, with a view to expose to all who read and understand the present document my most solemn protest against the whole contents of the said proclamation, the duties of my conscience toward God, my political compromises toward my beloved people, and my private and official relationship with the United States nation, all of which forced me to do so.

The General Otis called himself in the said proclamation military governor of the Philippine Islands. I protest one and a thousand times, with all the energy of my soul, against such authority.

I solemnly declare that neither at Singapore, Hongkong, nor here in the Philippines did I ever agree, by word or in writing, to recognize the sovereignty of America in this our lovely country. On the contrary, I declare that I returned to these islands, transported by the United States man-of-war, on the 19th of May last, with the decided and firm intention to fight the Spaniards in order to reconquer our liberty and independence. I have thus declared in my official proclamation dated May 24, and I have likewise published in a manifest addressed to the Filipino people on the 12th of June last, when, in my native village of Kawil, I exhibited for the first time our holy national flag as a sacred emblem of that sublime aspiration, and finally, so it was confirmed by the American general, Mr. Merritt, antecessor of Mr. E. S. Otis, in the manifest which he addressed to the Filipino people days before he intimated the Spanish general, Mr. Jaudenes, the surrender of the city of Manila, in which manifest he clearly and positively said that the army and navy of the United States came here to give us our liberty and destroy the bad rule of the Spanish Government. To say all at a time, nationals and foreigners are witnesses that the army and navy of the United States stationed here have acknowledged the fact of the belligerency of the Filipinos, whose flag has triumphantly crossed our seas before the eyes of the foreign nations here represented by their respective consuls.

As in General Otis's proclamation he alluded to some instructions edited by His Excellency the President of the United States, referring to the administration of the matters in the Philippine Islands, I in the name of God, the root and fountain of all justice, and that of all the right which has been visibly granted to me to direct my dear brothers in the difficult work of our regeneration, protest most solemnly against this intrusion of the United States Government on the sovereignty of these islands.

I equally protest in the name of the Filipino people against the said intrusion, because as they have granted their vote of confidence appointing me president of the nation, although I don't consider that I deserve such, therefore I consider it my duty to defend to death its liberty and independence.

Finally, I protest against such an unexpected act of sovereignty of the United States in these islands, in the name of all the proceedings which I have in my possession with regard to my relationship with the United States authorities, which unmistakably prove that the United States did not take me from Hongkong to fight



the Spaniards for their benefit, but for the benefit of our liberty and independence, for which purpose the said authorities verbally promised me their most decided assistance and efficacious cooperation; and so should you all my dear brothers understand, in order that we may united act according to the idea of our liberty and independence, which were our most noble desires, and assist with your work to obtain our aim with the strength which our old conviction may afford and must not go back in the way of glory which we have obtained.

The unmistakable intention of Aguinaldo, as shown in these proclamations, taken in connection with the well-known fact that what remains of his congress was subservient to Mabini's dictation, was ample notice to the troops to prepare for hostile demonstrations on the part of the insurgent army. Greater precautionary measures were directed and taken in the way of redistributing organizations throughout the city, in advancing and strengthening (though still far within our own mutually conceded military lines) our posts of observation, and for the quick response of the men if summoned for defensive action. Otherwise no change in the conduct, condition, or temper of the troops was observable. So quietly were these precautions effected that Filipino citizens, noticing the apparent indifference of our men, warned me repeatedly of the danger to be apprehended from a sudden simultaneous attack of the insurgents within and without the city, and were quietly informed that we did not anticipate any great difficulty. Another very noticeable proof of premeditated intent on the part of the insurgents was perceived in the excitement manifested by the natives and their removal in large numbers from the city. All avenues of exit were filled with vehicles transporting families and household effects to surrounding villages. The railway properties were taxed to their utmost capacity in carrying the fleeing inhabitants to the north within the protection of the established insurgent military lines. Aguinaldo, by written communications and messages, invited his old-time friends to send their families to Malolos, where their safety was assured, but Hongkong was considered a more secure retreat and was taken advantage of. A carefully prepared estimate showed that 40,000 of the inhabitants of the city departed within the period of fifteen days.

Early in the month I had cabled the authorities at Washington that open hostilities at Iloilo meant war throughout the islands, and that I had cautioned General Miller and the troops at Iloilo Harbor; and on the 9th instant I received a joint dispatch signed by the Secretaries of the Army and Navy and addressed to Admiral Dewey and myself, conveying the instructions and suggestions of the President, which were in part as follows:

Am most desirous that conflict be avoided. Your statement that a conflict at Iloilo or at any other southern ports means war in all the islands increases that desire. Such conflict would be most unfortunate considering the present, and might have results unfavorably affecting the future. Glad you did not permit Miller to bring on hostilities. Time given the insurgents can not injure us, and must weaken and discourage them. They will see our benevolent purposes and recognize that before we can give them good government our sovereignty must be conceded and unquestioned. Tact and kindness most essential at this time. \* \* \* We accepted the Philippines from high duty in the interests of their inhabitants and for humanity and civilization. Our sacrifices were made with this humane motive. We desire to improve the condition of the inhabitants, seeking their peace, liberty, and pursuit of their highest good. \* \* \* Will send commissioners if you think desirable to cooperate with you both in your delicate task. They can not leave here for two weeks or reach Manila for two months. \* \* \* If possible to hasten repatriation of Spanish soldiers before the treaty is ratified it will be done. \* \* \* Hope good counsel will prevail among the inhabitants and that you will find means to avoid bloodshed and restore tranquillity to that unhappy island. How is the health of Miller's command?

When this dispatch was shown Admiral Dewey he immediately remarked that he had recommended a commission, and desiring to be in accord with him I cabled as follows:

MANILA, P. I., January 10, 1899.

ADJUTANT-GENERAL, Washington:

Have conferred with Admiral Dewey. We think commissioners of tact and discretion could do excellent work here. Great difficulty is that leaders can not control ignorant classes. Health of Miller's command good.

I also cabled:

Our troops well in hand and confident that we can meet emergencies. Long conference last night and concessions asked, but insurgents have no definite idea of what they want. Further conference to be held. If peace kept for few days more immediate danger will have passed.

The injunctions of His Excellency the President of the United States to exert ourselves to preserve the peace had an excellent effect upon the command. Officers and men, confident of their ability to successfully meet the declared enemy, were restless under the restraints which had been imposed and were eager to avenge the insults received. Now they submit very quietly to the taunts and aggressive demonstrations of members of the insurgent army who continue to throng the streets of the business portions of the city.

Subsequent to January 5, and before the President's message had been received, I was approached by influential Filipino gentlemen (through an agent, an American citizen, they fearing that their individual safety would be endangered should they call in person) who expressed a strong desire for continued peace and an harmonious settlement of difficulties. They asked me to appoint a commission which could confer with one to be appointed by the Malolos government, with a view to working out a plan for the adjustment of the conflicting political interests of the parties concerned. Reply was made that the so-called Malolos government could not be officially recognized by word or act, but that I would gladly call a board of officers to confer with one which General Aguinaldo might appoint. The gentlemen made two or three hurried trips to Malolos, and on January 9 I received the following communication:

MALolos, January 9, 1899.

Major. Gen. E. S. OTIS,

*General of the American Forces of Occupation in Manila.*

GENERAL: I have been informed after the interview between the commissioners of my government and Mr. Carman that there will be no inconvenience on your part in naming, as commanding general, representatives that will confer with those whom I will name for the same object.

Although it not being explained to me the reason why you could not treat with the commissioners of my government, I have the faculty for doing the same with those of the commanding general. "who can not be recognized." Nevertheless, for the sake of peace, I have considered it advisable to name, as "commanding general," a commission composed of the following gentlemen: Mr. Florentino Flores, Eufasio Flores, and Manuel Arguelles, that they may together represent me and arrive at an accord with those whom you will name, with the object of using such methods as will normalize the actual situation created by the attitude of your Government and troops.

If you will deign to attend to said commissioners and through these methods come to some understanding, "if only temporary," that will insure the peace and harmony among ourselves, the Filipino public would reach a grateful glory.

I am, yours, General, with the highest consideration, your most respected servant.

EMILIO AGUINALDO.

Reply was at once made to Aguinaldo's peculiar letter, and was expressed in the following terms:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS.

*Manila, P. I., January 9, 1899.*

General EMILIO AGUINALDO,

*Commanding Revolutionary Forces, Malolos, P. I.*

GENERAL: I have the honor to acknowledge the receipt of your communication of to-day, and am much pleased at the action you have taken. I greatly regret that you have not a clear understanding of my position and motives, and trust that my explanation, assisted by the conference I have invited, will make them clear to you.

In my official capacity I am merely the agent of the United States Government to conduct its affairs under the limits which its constitution, laws, precedents, and specific instructions prescribe. I have not the authority to recognize any national or civil power not already formally recognized by my Government, unless specially authorized to do so by the instructions of the Executive of the United States. For this reason I was unable to receive officially the representatives of the revolutionary government, and endeavored to make that inability clear to the distinguished gentlemen with whom I had the pleasure to converse a few evenings since. You will bear witness that my course throughout my entire official connection with affairs here has been consistent, and it has pained me that I have not been able to receive and answer communications of the cabinet officers of the government at Malolos, fearing that I might be erroneously charged with lack of courtesy.

Permit me now briefly, General, to speak of the serious misunderstanding which exists between the Filipino people and the representatives of the United States Government, and which I hope that our commissioners, by a thorough discussion, may be able to dispel. I sincerely believe that all desire peace and harmony, and yet by the machinations of evil-disposed persons we have been influenced to think that we occupy the position of adversaries. The Filipinos appear to be of opinion that we meditate attack, while I am under the strict orders of the President of the United States to avoid conflict in every way possible. My troops, witnessing the earnestness, the comparatively disturbed and unfriendly attitude of the revolutionary troops, and many of the citizens of Manila, conclude that active hostilities have been determined upon, although it must be clearly within the comprehension of unprejudiced and reflecting minds that the welfare and happiness of the Filipino people depends upon the friendly protection of the United States. The hand of Spain was forced, and she has acknowledged before the whole world that all her claimed rights in this country have departed by due process of law. This treaty acknowledgment, with the conditions which accompany it, awaits ratification by the Senate of the United States; and the action of its Congress must also be secured before the Executive of that Government can proclaim a definite policy. That policy must conform to the will of the people of the United States expressed through its representatives in Congress. For that action the Filipino people should wait, at least, before severing the existing friendly relations. I am governed by a desire to further the interests of the Filipino people and shall continue to labor with that end in view. There shall be no conflict of forces if I am able to avoid it; and still I shall endeavor to maintain a position to meet all emergencies that may arise.

Permit me to subscribe myself, General, with the highest respect, your most obedient servant,

E. S. OTIS,

*Major-General, U. S. T., Commanding.*

The following order calling a board was thereupon issued, and the president of the same was directed to arrange for a meeting with the commission appointed by Aguinaldo as soon as practicable:

SPECIAL ORDERS, }  
No. 9. }

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,

*Manila, P. I., January 9, 1899.*

[Extract.]

8. Brig. Gen. R. P. Hughes, U. S. V., Col. James F. Smith, First California Volunteers, Lieut. Col. E. H. Crowder, judge-advocate, U. S. Volunteers, are hereby appointed a commission to meet a commission of like number appointed by General Aguinaldo, and to confer with regard to the situation of affairs and to arrive at a mutual understanding of the intent, purposes, aim, and desires of the Filipino people and the people of the United States, that peace and harmonious relations between these respective peoples may be continued.

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

The representative boards engaged in joint conference on the evening of the day the order was issued, and had repeated and prolonged evening sessions, sometimes extending far into the night. Minutes of proceedings were kept and submitted, and the various extended arguments indulged in were duly reported to me after the adjournment of each special session. The board representing the insurgent interests could not give any satisfactory explanation of the qualified sovereignty, measure of protection, or specific autonomy which it thought should be vested in or enjoyed by the respective governments, nor present any practical plan for the solution of the vexed political problems which constantly arose in the progress of the discussion. It conceded the fact that the protection of the United States was essential to the integrity and welfare of the islands, but could not determine how that protection should be applied; certainly not to the extent of interference with internal affairs further than the collection of customs, possibly, from which source the United States might receive a compensation for the protection furnished. They begged for some tangible concessions from the United States Government—one which they could present to the people and which might serve to allay the excitement. Nothing could be accomplished without the sacrifice of some of the attributes of sovereignty, and certainly that could not be done by any existing authority.

Finally, the conferences became the object of insurgent suspicion, and of amusement to those who did not wish beneficial results. The newspapers announced that a peace commission was about to be sent from the United States, and it was observed that the volunteers were not being sent home as the newspapers announced had been ordered. What was the meaning of this commission when one was in session already and why were the regular regiments being dispatched from the United States? The United States authorities were merely endeavoring to gain time to place themselves in position to impose slavery on the Filipinos.

The members of the insurgent board inquired of our officers as to these matters. Upon the report of facts by General Hughes I informed him that I would address him an explanatory letter which he could present, if he chose, at the next and last conference, and accordingly sent him the following communication:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,  
Manila, P. I., January 25, 1899.

Brigadier-General HUGHES,

*Chairman of committee appointed to meet a committee appointed by General Aguinaldo to confer with regard to the situation of affairs and to arrive at a mutual understanding of the intent, purposes, aim, and desires of the Filipino people and the people of the United States.*

SIR: I am informed that the Filipino people do not place confidence in our good intentions which they are seeking from this conference. The fact that the President has appointed a commission seems to have confirmed them in their impressions. It might be well, therefore, to give you a brief history of events having relation to these commissioners. They are as follows:

Early in December Admiral Dewey and myself received instructions from Washington to report the condition of affairs and offer suggestions. Upon December 7 Admiral Dewey telegraphed as follows:

"It is strongly urged that the President issue a proclamation defining the policy of the United States Government in the Philippine Islands and showing the inhabitants that it is our intention to interfere in the internal affairs of the Philippines as little as possible; that as they develop their capabilities of government their powers and privileges will be increased. That will allay the spirit of unrest. The Spanish soldiers should be expatriated as soon as possible; they are a source of discord and danger."

And the Admiral goes on to say that a force of several regiments raised from among the best insurgent troops and officered by the best of their leaders would do much to disarm opposition.

Upon this suggestion I think the proclamation was issued. Later Admiral Dewey cabled (I think sometime about the 1st of January, I am not aware of the date) that he thought the appointment of a commission by the President would be an excellent thing. On January 9 I was asked by the Washington authorities what I thought of the appointment of a commission to confer with the revolutionary authorities, and I replied that I thought it might do excellent work here. Before this date, early in January, I had been requested by prominent Filipinos to appoint a committee from my own command to meet a like committee to be appointed by General Aguinaldo. This was done on January 9, one day before receiving the Washington dispatch asking if I thought the appointment of a commission by the President would be advantageous. Hence, what might be styled the two commissions have no relationship whatever. The one of which you are president, sitting to ascertain the desires of the Filipinos and having no authority to grant concessions except by permission of the Washington authorities; the other commission, appointed from Washington, comes with full instructions from the President of the United States and empowered to act for him.

On January 16 I telegraphed to Washington as follows:

"Conditions improving; confidence of citizens returning; business active. Conference held Saturday; insurgents presented following statement, asking that it be cabled: 'Undersigned commissioners commander in chief of revolutionary army of these islands state to commissioners of General Otis that aspiration Filipino people is independence, with restrictions resulting from conditions which its government agree with American when latter agree to officially recognize the former.' No conclusion reached; another conference to-morrow evening. I understand insurgents wish qualified independence under United States protection."

To this dispatch no reply has been received.

Upon another matter, viz, the sending of regular troops here, the purpose of which has been greatly misunderstood, you may communicate the following dispatch, received on December 7:

"General OTIS, Manila:

"The Secretary of War directs you to send Astor Battery home on first returning transport. If you can spare volunteers to take first returning ships, send them in the order of their arrival. Six regular regiments are in course of preparation to report to you. It is probable that part of them will sail direct from this coast by way of canal—thus to give you good transports available for service from San Francisco."

The meaning and intent of this dispatch was to return the volunteer troops as soon as possible and to send part back by the transports then in the harbor, if practicable. The Astor Battery was sent home, but I declined to send other volunteer troops at that time, as the revolutionary government had assumed a threatening attitude, notwithstanding our great desire for peace and harmony. The orders from Washington have not changed. I still have authority to return the volunteer troops, so that they can be discharged in the United States, by any returning vessels available, but I decline to return them as long as we are threatened with active hostilities. Under the articles of capitulation still prevailing with Spain, as there has been no ratification as yet of a treaty, I am obliged to hold Manila and its defenses, but no hostile act will be inaugurated by the United States troops.

Very sincerely yours,

E. S. OTIS,

*Major-General, U. S. V., United States Military Governor.*

The commissioners held their final joint conference, I think, on January 25. With the insurgent representatives it was one continued plea for some concession which would satisfy the people. One of them was a man of excellent legal ability, who had occupied an important judicial position at Cebu under the Spanish Government for a number of years. He had recently arrived in Manila, and on the invitation of Aguinaldo had visited Malolos. He was animated with a desire to restore harmonious relations, or at least to effect a temporary peace until the existing excitement could be allayed, when the people might listen to reason. He secured the appointment of Aguinaldo's board and was named thereon as the most important member, but he was so circumscribed by specific instructions that he could not accomplish anything. I charged him with playing a false part, basing the charge on a knowledge of his legal acquirements. He confessed that he was fully aware of the untenable position he occupied, and was powerless under

the circumstances. He was an adept at legal fiction and could discover pregnant both negative and positive in every international postulate. The appointment of the President's commission had caused so much speculation, both as to membership and object, that I desired to correct mistaken impressions and to take away further opportunity for deliberate falsehood, and knowing that this gentleman still held friendly relations with the Malolos authorities and desired to know the truth in the matter, I sent him the following unofficial letter:

MANILA, P. I., *February 3, 1899.*

Hon. FLORENTINE TORRES, *Manila, P. I.*

MY DEAR SIR: I am in receipt of a Washington dispatch dated the 1st instant, which informs me that the gentlemen who expect to serve on the proposed commission on the part of the United States will reach Hongkong on the 21st of the month. They will probably arrive here about the 25th.

So many inaccuracies have been spread abroad concerning the identity of the gentlemen of the commission that I desire to make explanation. They are Messrs. Denby, Schurman, and Worcester. Respecting the first, he is doubtless well known as the late United States minister to China; the second is the president of Cornell University, one of the leading institutions of learning of the United States; the third is Professor Worcester, of the University of Michigan, also one of our leading educators and who has a personal acquaintance with the Philippines, he having spent some time here. He is a friend of Dr. Bourns, of our health board, who formerly made a tour of the Philippine Islands in the interest of science.

I am sure the reputation of these gentlemen will commend them to the Filipino people as men of probity, ability, and most humane sentiments, having at heart the interest of that people. Admiral Dewey and myself have also been placed on this commission—the Government following the policy pursued with reference to Cuba and Porto Rico. My own inclinations and desire are not to serve thereon, being simply a soldier, but I must obey the commands of my Government.

It is quite important that friendly relations be maintained in every way among all of us, and I am doing my utmost to that end. A great deal of friction has been caused by the action of troops, resulting, I am certain, from a misunderstanding of conditions. Our soldiers are frequently insulted and threatened within our own lines, but thus far have quietly submitted, obeying their instructions. If, however, these threatening demonstrations should proceed so far as to endanger life, I might not be able to hold them in check. I trust that the revolutionary authorities will exercise every endeavor to put a stop to demonstrations similar to those witnessed during the past two days.

I am, with great respect, your obedient servant,

E. S. OTIS.

A few days before the above letter was written and on January 26, I was surprised by the receipt of a letter from Aguinaldo because of the boldness with which he therein indicated his purpose to continue his assumptions and establish their correctness by the arbitrament of war. I cabled it in cipher to Washington in accordance with his request, as it contained such suggestive announcements of the course of conduct he was likely to pursue. The cablegram and my reply to the communication are as follows:

MANILA, P. I., *January 27, 1899.*

ADJUTANT-GENERAL, *Washington:*

The following received:

“PHILIPPINE NATIONAL GOVERNMENT,  
“Office of Secretary of Foreign Affairs.

“Maj. Gen. E. S. OTIS,

“Commander in Chief of the American Forces of Occupation in Manila:

“My government has promulgated the political constitution of the Philippine Republic, which is to day enthusiastically proclaimed by the people, because of its conviction that its duty is to interpret faithfully the aspirations of that people—a people making superhuman efforts to revindicate their sovereignty and their nationality before the civilized powers.

“To this end, of the governments to-day recognized and observed among cultured nations they have adopted the form of government most compatible with their aspirations, endeavoring to adjust their actions to the dictates of reason and of right, in order to demonstrate their aptitude for civil life.

"And, taking the liberty to notify your excellency, I confidently hope that, doing justice to the Philippine people, you will be pleased to inform the Government of your nation that the desire of mine, upon being accorded official recognition, is to contribute to the best of its scanty ability to the establishment of a general peace.

"May God keep your excellency many years.

"EMILIO AGUINALDO.

[Seal of the revolutionary government of the Philippines.]

"A. MABINI.

"MALOLOS, *January 23, 1899.*"

OTIS.

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
MANILA, P. I., *January 27, 1899.*

Gen. EMILIO AGUINALDO,

*Commanding Philippine Revolutionary Forces, Malolos, P. I.*

GENERAL: I have the honor to inform you that I received yesterday a communication dated the 23d instant, signed by you and purporting to be issued from the office of the secretary of foreign affairs of the "Philippine national government."

I am pleased to further inform you that a translation of that communication into the English language, as shown in the accompanying paper, has been cabled in full to the United States authorities at Washington.

I am, General, with great respect, your obedient servant,

E. S. OTIS,

*Major-General, U. S. F., Commanding.*

In the meantime General Miller's command was retained in the harbor of Iloilo. It continued to be greatly dissatisfied because it was not allowed to seize the city. The Fifty-first Iowa Volunteers had remained on its transport since leaving San Francisco, a period of more than seventy days. It was very necessary to disembark it for sanitary reasons, and any attempt to do so on the Panay coast or the adjacent small islands would have resulted in conflict with natives. It was directed to return to this harbor, where upon arrival it was placed at Cavite, relieving the Tennessee regiment, which was brought to this city. On January 20 General Miller wrote that it would be his aim "to maintain the existing conditions of friendly relations with these people," and continued:

The people here will follow the conditions in Luzon and will permit our military occupation of Iloilo as soon as ordered from the central government. Outwardly the best terms of friendship exist personally between us. I have informed them verbally that they could go on with their usual occupations, aloft and ashore, without interference from us; that seizures we made were necessities merely to enable us to get along from day to day and that nothing would be taken otherwise. They are satisfied apparently, believe me most implicitly, and everything is pleasant.

There were two or three matters outside of the enforced policy of nonmilitary action which greatly troubled General Miller. He had gone from Manila prepared to establish civil government and had with him his officers of the port and of customs. The merchant vessels entering and leaving Iloilo with subsistence and merchandise and plying their trade between that point, Manila, Singapore, and the Chinese coast, paying duty to the Iloilo insurgents in defiance of protest, became objects of suspicion, and their transaction enabled the avowed enemy to obtain food and reap revenue much to the detriment of our interests. The Spanish native military organizations which had been performing service in the south continued to be brought to Manila in spite of our repeated objections, on the plea that Spain could do nothing else with them, and it was difficult to see how she could. Those of them who were native of the central islands were sent to Panay, and those having former homes in Luzon were scattered

there, although we entertained the belief that they would be gathered to attack us.

To General Miller's complaint concerning the transactions of merchants and his request to be permitted to close the Iloilo port, or compel all traders to pay accustomed duties to his proper officers, he was instructed in communications of January 16 and 21 as follows:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., January 16, 1899.*

THE COMMANDING GENERAL,  
*First Separate Brigade, Eighth Army Corps,  
Iloilo, Island of Panay.*

SIR: Replying to the letter of Captain Evans of January 13, forwarded by you on same date, I am directed to state that the case is well put by Captain Evans under the President's recent proclamation, except the President directs in that proclamation that all the ports in the actual possession of the land and naval forces of the United States will be open to the commerce of the world. The port of Iloilo is not in the actual possession of the United States forces, as they merely occupy the harbor.

The objections which present themselves to the course recommended by Captain Evans are:

1. Until the ratification of the treaty of peace the United States has not the legal right to occupy the port of Iloilo, except by the consent of Spain. Spanish authority over the southern islands of the Philippines remains intact until the treaty is ratified. If, however, Spain had turned over the port of Iloilo to the United States, then the question of legal right as between the United States and Spain would have been settled and the United States would then have succeeded to the rights of Spain in so far as the collection of duties is concerned. Spain did not turn it over to the United States authorities. Her action, viewed in the mildest light, was that of simple abandonment, for which she is responsible. As far as the United States are concerned, Spain, under a strict interpretation of international law, has still the right to enter that port and collect duties until that right is terminated by treaty ratification.

2. The closing of the port and the collection of duties on merchandise taken from the island would be an acknowledgment on our part that the self-constituted authorities at Iloilo stand in the position of belligerents or enemies of the United States, which position we do not recognize. They are (Spanish subjects really until the ratification of the treaty) recognized as a friendly community with whom we are at peace.

3. Should foreign vessels accept clearance papers from the Iloilo captain of the port, it would be difficult to understand the position in which they would place themselves. Undoubtedly such action would give rise to grave questions, possibly involving international complication; and should they seek to clear through your authorities after having acknowledged the insurgents at Iloilo by paying duties to them, then they would recognize either Spanish or insurgent authority at Iloilo and that of the United States in the harbor.

They probably would do everything that both the insurgent and United States authorities would demand of them and make under protest any payment which might be demanded. Conditions are so complicated that these headquarters do not feel at liberty to give positive instructions for your guidance, and they will be sought from Washington, which as soon as received will be transmitted to you.

In the meantime you will not make any demands on the merchants nor interfere by any overt act of force with the commerce of the port. It might be well to assert United States right to conduct the commerce of the port, but you can state that you have represented the case to the proper authorities and are waiting instructions. Any forcible act of detention or seizure might produce most unsatisfactory results.

I inclose your prepared communication intended for the British vice-consul. It is unobjectionable and should be sent to him.

Since writing the above I understand from Captain Montgomery, of the British navy, who has just returned from Iloilo, that he discussed all these matters with the Iloilo merchants, endeavoring to come to some arrangement which would be satisfactory to the United States. He reports that he advised the merchants and the English consul to give a promise in writing to pay duties in the future upon all goods now taken out to whomsoever they might be due after affairs had become adjusted.

Very respectfully, your obedient servant,

THOMAS H. BARRY,  
*Assistant Adjutant-General.*



HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
Manila, P. I., January 21, 1899.

The COMMANDING GENERAL,  
First Separate Brigade, Eighth Army Corps, Iloilo, Panay.

SIR: I am directed to inform you that there will be sent out to-day by steamer *St. Paul* to Iloilo a number of discharged native-Spanish troops, to wit, to the number of about 600. These discharged soldiers live in the southern islands, and it is thought that they will give less trouble if landed at Iloilo than if landed at other points. You will therefore please receive them at Iloilo or in the vicinity. The vessel transporting them, with its guard—a company of the First Tennessee Volunteers—will be directed by you to return immediately to this port.

In regard to the collection of duties on merchandise at Iloilo, you were informed that your suggestions on that subject, received through Colonel Potter, would be submitted to Washington for decision. They were so submitted, and the following cablegram has been received in response:

“WASHINGTON, January 19.

“OTIS, Manila:

“The President desires no forcible measures to be used for the present in collecting customs duties at Iloilo.

“CORBIN.”

You will therefore be guided by these instructions, which are in line with those sent you from these headquarters. Matters here remain in a very excited condition, and conflict with the insurgent troops is avoided only by the skillful supervision of officers. Please report the condition of affairs at Iloilo.

Very respectfully, yours,

THOMAS H. BARRY,  
Assistant Adjutant-General.

Still General Miller was greatly dissatisfied with his surroundings. He could not perform military service, nor could he conduct business affairs. He was kept watching and waiting under very unpleasant circumstances, which grew more irksome every passing day. On February 3, the day previous to the opening of actual hostilities at Manila, he wrote:

HDQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., February 3, 1899.

The ADJUTANT-GENERAL,  
Department of the Pacific, Eighth Army Corps.

SIR: I have the honor to report the military situation here unchanged. The insurgents are reported to be placing another gun in position. This is outside and near the entrance to the fort, bearing on our ships.

The insurgents in town are to-day having a little trouble. Two companies in the main barracks demanded some pay and better food, and threatened to take up their arms and go back into the country if they were not paid. The row is not yet settled. Some \$15,000—export and import duty—have been received in the collector's office, and I presume the troops want a part of that.

Reports from the southern islands, Negros and Cebu, are to the effect that those people realize that they can not succeed with an independent government and want us to take possession.

I still feel that this place—Iloilo—ought to be captured. Such a step would deprive the insurgents of large receipts from customs, cripple their means to pay the soldiers, and arouse the people favorable to us in the southern islands to express more freely their true sentiments. I am well satisfied that a great proportion of the inhabitants of Panay, Negros, and Cebu are favorable to our occupation at once.

A large proportion of the supplies for the Iloilo people come from the American steamers from Manila, a trade which is carried on through the collector of the port of Manila with the insurgents at Iloilo. Is there no way to stop this trade? Cutting off supplies in this way will help to bring these people to terms. I can't understand how such a business can be carried on against the best good of our country.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. A., Commanding.

During this period rapidly succeeding significant events were fast approaching a state of war and strongly indicated the fixed determination of the insurgent government to drive the United States from

Luzon as soon as it could gather its armed men in sufficient numbers. It had appropriated the railway, every engine, and most of its rolling stock. It was perfecting its intrenchments around us, planting its guns, concentrating its troops, and bringing up its army supplies, though still publicly asserting its desire for peace. With the cunning which it had always attempted to practice in its amateur diplomacy it endeavored to force the United States to commit the first physical act of hostility in the way of musketry fire, in order to appeal to the sympathies of the foreign public for a seemingly oppressed people, which it falsely claimed to represent. In this it signally failed. The knifing and attempted shooting of our picket sentries brought no hostile response, except the killing, by the intended victim, of the assassin who had so dexterously used the knife upon him. The excitement within the city was very noticeable, and the cruelty of the "Americano" was the theme. No one seemed to be possessed of any fixed determination but the Tagalo. All others were watching for new demonstrations and waiting for developments. Manila is unparalleled for diversity of race and babel of tongues; also for its grade of enlightenment from barbaric ignorance to the highest civilized stage. Rumors innumerable and of the most varied character filled the atmosphere. To-day attack was imminent, and to-morrow friendly councils were about to prevail. One fairly well acquainted with the scheming in progress and the trend of events could not reach any satisfactory conclusions on the probabilities of war, and to one unacquainted therewith sane conclusions were impossible. I endeavored to inform Admiral Dewey of the actual situation from day to day, and a few extracts from hastily dictated letters of that time will show how hard it was to formulate opinion. These brief extracts are also an index to swiftly recurring events. The following are furnished:

MANILA, P. I., January 16, 1899.

I have been too busy to write, but had there been anything special to communicate should have done so. The city is now very quiet and people are again appearing on the streets, seemingly confident that no immediate disturbances are likely to ensue.

Our conferences with General Aguinaldo's commissioners are still in progress. The commissioners had a long session on Saturday evening and meet again to-morrow evening. The conferences seem to have quieted the atmosphere very much. The Malolos congress on Saturday, I understand, disposed of some radical questions by vote. Indications are that the United States Government received favorable consideration. I do not look for anything to develop in the next few days, but we are obliged to keep up constant vigilance.

JANUARY 19, 1899.

\* \* \* Everything remains quiet in the city. It is rumored this morning that insurgents say we are only trying to prolong our conference until we can receive more troops, and that the commission appointed, or to be appointed, by the President is only another ruse to gain time. Their army seems to be more or less excited and is considering the matter whether it would not be policy to destroy us all at once, before we can get any more soldiers. All this may be called street rumor, but it is very actively circulated. The insurgent army is becoming very tired of doing nothing and demands blood. Business is being transacted as usual; a good many people on the streets and quite a number returning again to town.

JANUARY 21, 1899.

I was very sorry when I learned yesterday that you had withdrawn the *Monterey* and *Concord*. I said last night that there was no immediate prospect of trouble. By that expression I meant that there would be no outbreak for a day or two. From my information this morning I am convinced that the insurgents intend to try their hand in a very short time—how soon I can not tell. They will not now permit us to cross their lines and have been very insulting to our officers, calling to them that very shortly that they would give us battle. My best information is that they have fully determined to attack both outside and within the city before our additional

troops arrive, and the least spark may start a conflagration. Your war vessels placed as formerly will not incite them to an attack, but will add to their fears of success in case they begin it. They are no longer amenable to reason; the lower elements have gained control and their congress is powerless to manage them. The best Filipinos in the city say that they are going to attack the city, and that they will do it very soon, entertaining the insane idea that they can drive us out. Should they attack, the fight will be over before your vessels can reach the points where they were formerly placed.

I am sending out to-day for Iloilo a transport with 600 discharged native Spanish soldiers who live in the southern islands, and am trying to get rid of about 1,500 of these native troops whose homes are in Luzon. They are all insurgents now and give us trouble in the city.

JANUARY 23, 1899.

\* \* \* No exciting developments this morning. Another conference was held yesterday between Aguinaldo's and our representatives, resulting in very little. It was adjourned until next Wednesday. Aguinaldo is insisting upon the recognition of independence and the return of the *libbie* and the launches. I understand that the Malolos congress passed the proposed constitution with the clause inserted which Mabini insisted on, viz, "Placing the power in the hands of Aguinaldo to declare war."

The city is very quiet. Yesterday we got rid of 276 of the discharged Spanish-native troops, sending them down the bay. We have still remaining 315 of the Macabebes who are afraid to go out of Manila, and about 300 other natives who want to stay here.

I had a long talk with General Rios yesterday. He says that there are 24 officers, with servants, on his vessel, and considerable money, which he would like to have remain there, and 71 passengers, besides the soldiers and crew; that the officers belong to organizations which have been disbanded, and that they came here with their families and property with the intention of going back to Spain by first available transport at their own expense, and he does not want the soldiers or troops to land. I have directed the captain of the port to land the officers and passengers and to keep the vessel in the harbor. \* \* \* Nothing this morning from Washington. The dispatch of yesterday directed me to make strenuous efforts to have insurgents release Spanish prisoners whom they hold. I replied that my influence was not great at present, and that I had made such an effort to release the Spanish priests that I was now accused of being in partnership with the archbishop.

JANUARY 24, 1899.

Things look a little ominous to-day. You have undoubtedly seen in the papers an account of yesterday's affairs at Malolos, viz: The proclaiming of the constitution, the proclaiming of Aguinaldo as president, captain-general, and everything else, and the speech delivered by Paterno, in which he announced that they would drive the invader from the soil. Everything points to their determination to attack us, if they can persuade themselves that they can do so successfully, before the regular regiments arrive. This is confirmed in a great many ways and I am sure it is the policy on which they are at present proceeding. They may succeed in burning a portion of the town, but little else, I imagine.

JANUARY 25, 1899.

I am in receipt of your letter of this morning. I do not consider that the war is over for the present. The insurgents would attack at once if they could be convinced that their efforts would meet with success. The leading Filipinos of the city are afraid to come near me and are in a very excited condition. They know the dangers of an outbreak at any moment, and we are holding all troops well in hand constantly. The business men of all nationalities are intently watching developments. The revolutionary government seems to be in the ascendancy, and our former Filipino friends who favored annexation a short time ago are, for personal safety, giving a sort of adherence to the Malolos government. All this I fully know, and a great deal more which I can tell you first opportunity, but which it would not be prudent to write.

The Cavite Filipinos went out to join the insurgent ranks during the inspection and review in that zone by their secretary of war—at least so I think—and they can quickly go back to the ranks at any time they may be called upon to do so.

FEBRUARY 3, 1899.

One of the \* \* \* launches arrived yesterday, cleared from Hongkong; she is one of the three of which \* \* \* wrote, and concerning which I reported that from information received here that I was quite certain was about to bring arms. Upon arrival here her cargo tallied with her manifest and she was apparently all right. \* \* \*

The officer in charge explained that she was about two days late in arriving, owing to bad weather, which compelled her to lie off the coast. These two days gave her time to run to the coast and discharge. \* \* \*

Yesterday afternoon General MacArthur, whose troops north of the Pasig have experienced trouble with the insurgents who have passed over his lines, sent Major Strong, his adjutant-general, out to the officer in command to demand an explanation. Strong, on passing our lines, was placed under a strong insurgent guard and taken to Mandaluyan, a point on the Pasig across the San Juan River. There he found the officer in charge and quite a considerable insurgent force taking from several boxes a quantity of new revolvers and Mauser rifles which had just been received. Spanish prisoners were there (the Spanish prisoners whom the insurgents hold) putting the parts of the rifles together and making them ready for distribution. \* \* \*

There has been a great deal of friction along the lines the past two days, and we will be unable to tamely submit to the insulting conduct and threatening demonstrations of these insurgents much longer. I am informed, however, that the chief men of the insurgent government desire to avoid any conflict at present; possibly for the reason that they are expecting to receive arms very soon, possibly because they fear they may not be successful at the present time, and possibly because they may have a belief that they can secure what they desire without conflict. They are constantly asking me to make concessions, that they may be able to control their troops. They have seized a number of our men, and some, I think, inside our lines. Yesterday I sent Lieutenant Haan, of the Engineer Corps, to Malolos to secure the release of the men; he did not return last evening, but telegraphed me from Malolos that he would explain his delay on his return, which he intimated would be to-day.

The city is quiet, though there is a vast amount of underlying excitement. We are constantly losing our employees. Yesterday seven of our men at our Malacanan quarters left us suddenly to join the insurgents, so we are now very short-handed. They stole and took with them whatever they could find of value, one of them driving out of the lines Colonel Barry's carriage, which we consider lost property.

Notwithstanding these ominous signs, unremitting exertions were continually being made for a satisfactory solution of affairs. On the 11th of January I had sent my adjutant-general, Colonel Barry, to Malolos, directing him to bear a written message to Aguinaldo, procure a personal interview with him if possible, acquaint him fully with the efforts we were making to preserve the peace, and impress upon him the necessity for more conservative action on the part of his troops. At this time a visit by an officer at the insurgent capital was not considered an agreeable pastime, as he was liable to receive gross insults. Colonel Barry, however, met with little difficulty, presented himself at Aguinaldo's headquarters, and requested of his secretary permission to pay his respects in person, stating that he was the bearer of an important communication concerning which General Otis desired him to confer with the general. Aguinaldo's secretary received the letter, stating that he would present it and make known General Otis's request. Soon after he returned, conveying General Aguinaldo's regrets that press of business did not permit him to accord the personal interview requested, and the colonel was referred to President Mabini, of the cabinet. Mabini received him graciously, and quite a lengthy interview followed. Mabini assured him, in substance, that the insurgent government had exerted itself to maintain friendly relations with the Americans; had thus far succeeded; that it would continue to make exertion to this end, but that it could not control its people beyond a certain point, as they were greatly excited; that his government would do all in its power to effect an amicable adjustment of pending difficulties. The communication which Colonel Barry presented was the one of January 9, in response to Aguinaldo's letter of that date, in which he announced the appointment of the insurgent commission and which appears on a former page.

I will now quote from my report to the Adjutant-General of the Army of April 6, in which I submitted a statement of the services of our

troops during February, and endeavored to present succinctly the more important actions with resulting causes from which war ensued:

During the latter part of January the insurgents along their established lines and within the city exhibited increased aggressiveness, assuming a defiant attitude, so much so that our troops were gathered well in hand to meet any demonstrations which might be attempted. Insurgent armed parties entered far within our lines and defied our troops to resist their approaches. To arrest these proceedings, our officers, and citizens of Manila connected with the insurgent government, were sent to insurgent general officers at various places along their lines to request that they keep their men in check, which the latter invariably promised to do, paying, however, little heed to their promises. On February 1 a small detachment belonging to our engineer company was arrested within our territory and sent to Malolos. This act brought on the following correspondence:

"HQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,

"Manila, P. I., February 2, 1899.

"General EMILIO AGUINALDO,

"Commanding Filipino Revolutionary Forces, Malolos.

"GENERAL: I have the honor to inform you that a small party of engineers, consisting of a sergeant and four privates, who are engaged in making surveys for the completion of the map of Manila, which the Engineer Corps is now busy in perfecting, has been missing for two or three days and is reported to be confined in Malolos. The detachment was sent out to do work within the city, with directions to confine itself to the city and suburban lines. Why they were arrested I do not understand, nor can I imagine for what reason they are held at Malolos. I am also informed that a citizen connected with Harper's Weekly, newspaper, of New York, engaged in taking views for that paper, has also been arrested and held as a prisoner. I know nothing of this except from report, nor do I know who the man is. I am also informed that a private soldier who went beyond the lines without authority, and for what motive I do not know, is also held as a prisoner.

"I send my staff officer, Lieutenant Haan, of the Engineer Corps, to make inquiries and request your action in this matter.

"I am doing everything possible to preserve the peace and avoid all friction until the Filipino people can be made fully acquainted with the sentiments and intentions of the American Government, when I am confident they will appreciate the endeavors of the United States and will again look upon that country as their friend and protector. I also fully believe that the present unrest is the result of the machinations of evil-disposed persons.

"I am, General, most respectfully, your obedient servant,

"E. S. OTIS,

"Major-General, U. S. I., Commanding."

"MALOLOS, February 4, 1899.

"Major-General OTIS,

"Chief of the Forces of Occupation of Manila and Cavite.

"GENERAL: In reply to your letter of February 2, I have the honor to state that the sergeant and four American soldiers of the Engineer Corps, to-day liberated, were detained within our territory, beyond our advanced lines on Solis street, examining our intrenchments and defenses at a distance of less than 200 meters.

"The said individuals carried a revolver, knives, a compass, plans of Manila and its suburbs, a book with topographical notes, a measuring tape, a machete, two penknives, scales, etc.

"I deeply regret that these soldiers have been taken within our lines, according to the testimony of our officers' witnesses of our detention, inasmuch as there exists a decree, dated October 20, which prohibits all foreigners from approaching our defensive works, taking photographic views of the same, drawing plans, or entering our territory with arms, although free transit is permitted all who are unarmed.

"The correspondent of Harper's Weekly was arrested in San Juan del Monte taking photographic views, and the proof of this is that in care of Colonel Miguel he has been sent his camera and his horse.

"I must state that in consideration of the friendship of the Filipino people for the Americans the said soldiers have not been imprisoned, but detained in accordance with the spirit of the decree of October 20 last. They have been lodged in the Gobierno Militar and have been issued the daily rations of our officers. If they have been uncomfortable it is due to the excessive sobriety of our race and soldiers, who are accustomed to eat but little and sleep on the hard ground.

"With these explanations I believe, General, you will understand the motive for the detention of your soldiers to-day liberated and who have been treated with all due consideration.

"I therefore hope that your determination may be another motive on which to base our friendly relations with the great American Republic, and in consideration of this I also decree the liberty of the correspondent referred to.

"I am, General, as ever, your obedient servant,

"EMILIO AGUINALDO."

It will be observed that the insurgent government insisted that this engineer party was arrested outside of our small field of operations, which I am confident was not the fact, but the correspondence is given to show the efforts of the American authorities to sustain the peace. During all this time our officers and men were insulted and openly proclaimed to be cowards; our outposts were attacked at night, and the impression became general that the insurgents, notwithstanding our efforts, would indulge soon in open attack, in the belief apparently entertained by them that they would meet with feeble resistance. During the entire month of January they had labored incessantly to strongly intrench their lines and place their artillery in position, and boasted freely of their intentions to soon drive the American forces out of Manila. On the night of February 2 they sent in a strong detachment to draw the fire of our outposts, which took up a position immediately in front and within a few yards of the same. The outpost was strengthened by a few of our men, who silently bore their taunts and abuse the entire night. This was reported to me by General MacArthur, whom I directed to communicate with the officer in command of the insurgent troops concerned. His prepared letter was shown me and approved, and the reply received (both papers found in General MacArthur's accompanying report) was all that could be desired. However, the agreement was ignored by the insurgents, and on the evening of February 4 another demonstration was made on one of our small outposts, which occupied a retired position at least 150 yards within the line which had been mutually agreed upon—an insurgent approaching the picket and refusing to halt or answer when challenged. The result was that our picket discharged his piece, when the insurgent troops near Santa Mesa opened a spirited fire on our troops there stationed.

The insurgent had thus succeeded in drawing the fire of a small outpost, which they had evidently labored with all their ingenuity to accomplish, in order to justify in some way their premeditated attack. It is not believed that the chief insurgent leaders wished to open hostilities at this time, as they were not completely prepared to assume the initiative. They desired two or three days more to perfect their arrangements, but the zeal of their army brought on the crisis which anticipated their premeditated action. They could not have delayed long, however, for it was their object to force an issue before American troops, then en route, could arrive in Manila.

We now take up for review the more important affairs of the second period of the year which this directed report must present—the period extending from February 4, 1899, to the present date.

The returns of the United States troops rendered on January 31 gave a numerical strength present in the Philippines of 819 commissioned officers and 20,032 enlisted men. Of these, 77 officers and 2,338 enlisted men were absent in Cavite and at Iloilo Harbor. These numbers included all officers and enlisted men belonging to the line or attached to staff corps, a good many of whom had been detached for

service in the various branches of civil administration which had been inaugurated or reestablished. On February 2 I cabled to Washington that the deaths in all organizations since their arrival in the islands numbered 220, of which 41 were due to the casualties of battle and accident, that 64 had been caused by typhoid fever, 43 by smallpox, 22 by dysentery, 8 by malarial fevers, and the others were due to various diseases; that the prevalence of smallpox caused apprehension, but that the entire command had been vaccinated several times, and 12 physicians, mostly resident, had been engaged several weeks in vaccinating natives; that 9 per cent of the command was then reported sick, but that the great majority of all ailments were slight in character. Subtracting from the entire numerical strength of all troops present in the islands, those at Cavite and Iloilo, the sick, those serving in the civil departments, and those belonging strictly to and doing duty in the staff organizations, the effective men of the line, officers and soldiers, were about 14,000. Of these, 3,000 belonged to the provost guard and were expected to check the demonstrations of the natives and preserve order within Manila. The troops were occupying a great many buildings located in the various parts of the city, and it was the declared intention of the secret hostile organizations in our midst to burn them as soon as our troops should be called to the lines of defense determined upon in order to resist the insurgent attack from without, as well as to destroy by fire the more important business sections. For this purpose they had provided themselves with a considerable quantity of kerosene oil, some of which had previously been seized or confiscated. It was necessary, therefore, to detail an efficient permanent guard to protect each barrack building, which was made up partially of special-duty men. And it might be remarked here that a curious feature of the insurgent plan of making war, which its soldiers invariably practiced for two months after active hostilities commenced, was to burn property indiscriminately, following Russia's example during Napoleon's advance on Moscow, of which they had heard, or Spain's practice in the islands when the natives were considered to deserve chastisement.

After estimating the necessities for the proper protection of the city, it was ascertained that we had about 10,000 men available with whom to meet Aguinaldo's concentrated army, variously estimated at from twenty to thirty thousand, but we had the interior of the circumscribed half circle which was occupied by his troops—his flanks resting on Manila Bay north and south of the city and about 5 miles distant from each other, and his center about 4 miles east of the walled town, cut by the Pasig River. The river was not fordable and there were no means of crossing it, except by small boats, hence insurgent troops of one wing could not give support to the other in order to meet any emergency of battle which might arise. We therefore had no fear for results in so far as the efforts of the encircling force were concerned. To a Washington dispatch of inquiry received about February 1, I replied that in case hostilities were forced upon us we could handle Aguinaldo's army, and only feared the burning of the city by the unfriendly partially organized portion of the inhabitants.

Several weeks previous to this date we had moved the Nebraska regiment from its barracks in the thickly-settled Binondo district to the high, unoccupied ground at Santa Mesa, the most eastern suburb of the city, where it was placed in camp. This change was made for sanitary reasons solely, as the regiment had been suffering from a very high rate of sickness caused by unhealthy locality. The new location

was within the view and the range of the Mauser rifles of the insurgents along the San Juan River portion of their line. During the latter part of January I was informed by good Filipino authority that the insurgents meditated an attack on these troops and was advised to remove them or, in their exposed place, the insurgents would kill them all. General MacArthur, who commanded north of the Pasig, warned Colonel Stotsenburg, who commanded that regiment and camp, and placed 2 guns of the Utah Artillery in position a short distance removed therefrom. It was expected that insurgents would make the initiative at this point and they acted strictly in accordance with our anticipations.

General Aguinaldo was now at the zenith of his power. He had recently repressed rebellion which had raised its head in central Luzon. He had assembled a pliant congress, many members of which had been appointed by him to represent far distant congressional districts, and which had voted him the dictator of the lives and fortunes of all the inhabitants of the Philippines. He dominated Manila, and when he ordered that the birthday of the martyred Rizal should be appropriately observed there, business was paralyzed and not a native dared to pursue his accustomed daily labors. Not a province had the courage to oppose his appointed governors, backed by their Tagalo guards, although a few of those governors had previously suffered martyrdom for the zeal exhibited in collecting money and sequestering private property. The southern islands were obedient. The appointed governor for one, and that one not eager for independence, wrote in January:

*To the Honorable President of the Revolutionary Government of the Philippines.*

HONORABLE SIR: This government has received the respected communication from the presidency under your command, ordering that under no pretext whatever are American or other foreign troops to be permitted to land on this island, which order it will be my pleasant duty to comply with as far as the scanty forces under my command will permit. I have, under to-day's date, ordered the officials under my command in charge of the towns of this province to follow the same instructions, under pain of the most severe penalties.

I have the honor to reply as above to the communication before cited.

God guard you for many years for our liberty and independence.

He was hailed from Europe as the savior of his country and as first of "the generous and noble Tagalo people," and was assured of "the sympathy of all liberal and noble nations." He was called upon to take a prominent part in United States politics, and those extending the invitation said:

President AGUINALDO.

DEAR SIR: In the interest and welfare of the Filipino Republic, I take the liberty to write you regarding an educational work to be published in this country representing the views of the antiexpansion party, or the people who wish to see a free and independent Philippine republic.

The object of this work is to increase public sentiment against annexation of the Philippines. Therefore, believing that some facts from the pen of your honor would strengthen the cause, I am authorized to ask certain questions.

First. Will you kindly state the per cent of those who wish annexation to the United States, if such there be?

Second. Will the natives take constant interest in political affairs under self-government?

Third. Are they upon recognition ready to drop their arms and enter upon an enterprising industrial life?

After answering these questions, a short article regarding the Philippine feeling toward this country and their wished-for independence will be appreciated, and I am confident will very materially strengthen this cause in the election to decide the policy of our country.

Hoping your sincere love for your people will insure an immediate reply, I remain,

Very respectfully,



He was confident that the great majority of the people of the United States justified him in his rebellion, and as for its soldiers whom he had shut up in Manila, many sympathized with his people in their struggle for independence and would not fight him. To an unbeliever in this last conviction he said, "Go to the lines at Santa Ana and be convinced," and the man went and pretended to believe. The encouragements and friendly advice he received from foreign parts through newspapers and communications from admirers, absent delegates, and representatives assured him of an easy solution of the war problem before him if he could strike while only a few volunteers confronted him and before the regulars then en route could arrive. He therefore confidently concentrated his well armed and ammunitioned forces to man the holes his troops had been weeks in digging and where they would be secure from attack in any event, even if success did not attend his efforts to slaughter the Americans or drive them into the waters of the bay. These preparations consummated, he prepared the outlines of his declaration of war, the full text of which was published at Malolos on the evening and very shortly after his hostile shots were first responded to by our troops, and without considering cause or intent. The longed-for opportunity had arrived and he hastened to embrace it. The declaration was circulated in Manila the next morning, and read as follows:

## GENERAL ORDER TO THE PHILIPPINE ARMY.

Nine o'clock p. m., this date, I received from Caloocan station a message communicated to me that the American forces, without prior notification or any just motive, attacked our camp at San Juan del Monte and our forces garrisoning the blockhouses around the outskirts of Manila, causing losses among our soldiers, who in view of this unexpected aggression and of the decided attack of the aggressors, were obliged to defend themselves until the firing became general all along the line.

No one can deplore more than I this rupture of hostilities. I have a clear conscience that I have endeavored to avoid it at all costs, using all my efforts to preserve friendship with the army of occupation, even at the cost of not a few humiliations and many sacrificed rights.

But it is my unavoidable duty to maintain the integrity of the national honor and that of the army so unjustly attacked by those who, posing as our friends and liberators, attempted to dominate us in place of the Spaniards, as is shown by the grievances enumerated in my manifest of January 8 last; such as the continued outrages and violent exactions committed against the people of Manila, the useless conferences, and all my frustrated efforts in favor of peace and concord.

Summoned by this unexpected provocation, urged by the duties imposed upon me by honor and patriotism and for the defense of the nation intrusted to me, calling on God as a witness of my good faith and the uprightness of my intentions—

I order and command:

1. Peace and friendly relations between the Philippine forces and the American forces of occupation are broken, and the latter will be treated as enemies, with the limits prescribed by the laws of war.

2. American soldiers who may be captured by the Philippine forces will be treated as prisoners of war.

3. This proclamation shall be communicated to the accredited consuls of Manila, and to congress, in order that it may accord the suspension of the constitutional guaranties and the resulting declaration of war.

Given at Malolos February 4, 1899.

EMILIO AGUINALDO,  
General-in-Chief.

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 TO THE PHILIPPINE PEOPLE.

By my proclamation of yesterday I have published the outbreak of hostilities between the Philippine forces and the American forces of occupation in Manila, unjustly and unexpectedly provoked by the latter.

In my manifest of January 8 last I published the grievances suffered by the Philippine forces at the hands of the army of occupation. The constant outrages and taunts, which have caused the misery of the people of Manila, and, finally, the

useless conferences and the contempt shown the Philippine government prove the premeditated transgression of justice and liberty.

I know that war has always produced great losses; I know that the Philippine people have not yet recovered from past losses and are not in the condition to endure others. But I also know by experience how bitter is slavery, and by experience I know that we should sacrifice all on the altar of our honor and of the national integrity so unjustly attacked.

I have tried to avoid, as far as it has been possible for me to do so, armed conflict, in my endeavors to assure our independence by pacific means and to avoid more costly sacrifices. But all my efforts have been useless against the measureless pride of the American Government and of its representatives in these islands, who have treated me as a rebel because I defend the sacred interests of my country and do not make myself an instrument of their dastardly intentions.

Past campaigns will have convinced you that the people are strong when they wish to be so. Without arms we have driven from our beloved country our ancient masters, and without arms we can repulse the foreign invasion as long as we wish to do so. Providence always has means in reserve and prompt help for the weak in order that they may not be annihilated by the strong; that justice may be done and humanity progress.

Be not discouraged. Our independence has been watered by the generous blood of our martyrs. Blood which may be shed in the future will strengthen it. Nature has never despised generous sacrifices.

But remember that in order that our efforts may not be wasted, that our vows may be listened to, that our ends may be gained, it is indispensable that we adjust our actions to the rules of law and of right, learning to triumph over our enemies and to conquer our own evil passions.

EMILIO AGUINALDO,  
*President of the Philippine Republic.*

*MALOLOS, February 5, 1899.*

The battle of Manila, which commenced at half past 8 o'clock on the evening of February 4, continued until 5 the next evening. Its details were fully reported on April 6 last, and it is not necessary to present them anew. I insert a short extract from that report to show the determination of the insurgents to provoke conflict:

During the entire month of January they had labored incessantly to strongly intrench their lines and place their artillery in position. \* \* \* On the night of February 2 they sent in a strong detachment to draw the fire of our outpost, which took up a position immediately in front of and within a few yards of the same. The outpost was strengthened by a few men, who silently bore the detachment's taunts and abuse the entire night. This was reported to me by General MacArthur, whom I directed to communicate with the officer in command of the insurgent troops concerned. His prepared letter was shown me and approved, and the reply received (both papers found in General MacArthur's accompanying report) was all that could be desired. However, the agreement entered into was ignored by the insurgents, and on the evening of February 4 another demonstration was made on one of our small outposts, which occupied a retired position, at least 150 yards within the line which had been mutually agreed upon, an insurgent approaching the picket and refusing to halt or answer when challenged. The result was our picket discharged his piece, when the insurgent troops near Santa Mesa opened a spirited fire on our troops there stationed.

The engagement was one strictly defensive on the part of the insurgents and of vigorous attack by our forces, although during the night it was confined to an exchange of fire between the opposing lines on the north from the Pasig River to the Lico road, a distance of about 2 miles, with an occasional shot on the south in the vicinity of Paco, and a few straggling shots on the extreme left in the direction of Calocan. Admiral Dewey had placed two vessels a short distance off shore to the north and one to the south of our flanks, where they rested on Manila Bay, and shortly after daybreak on the morning of the 5th I telegraphed him: "Heavy firing all along our north front at midnight and at 4 a. m. Casual firing at Paco. Several casualties in Tondo district. *Charleston* and *Callao* could give efficient aid in that vicinity," and at 6.50 a. m. I wired him that "firing continues; few casualties; a sharp raking fire of one-half hour just to north of blockhouse on Vitas

Pass would reach insurgent line and demoralize them." This was effected, and the *Monadnock* on the south was also doing good service. At midnight General Anderson, who commanded all troops south of the Pasig, consisting of King's and Ovenshine's brigades, was directed to hold them in readiness to receive a morning attack, but not to attack until further instructed. Our immediate interests lay to the northeast and comprised the pumping station and deposito of the waterworks, which it was necessary to secure, although we had provided for their loss, in so far as the army was concerned, by erecting a number of distilling plants along the river banks, by which good water could be obtained. Stotsenburg had attacked early in the morning, drove the enemy from the blockhouses in his front, and reported that he could capture the powder magazine and waterworks (deposito meaning, though pumping station understood at the time) if desired. MacArthur had been pressing back the enemy in his entire front, inflicting heavy loss. He had called for troops to fill gap on Stotsenburg's left, and a battalion of the First Tennessee Regiment of the provost guard, under the command of its colonel, was sent him, and the following correspondence by telegraph ensued:

General MACARTHUR: Stotsenburg reports: "Have captured blockhouses 6 and 7; burned 6. Can capture powder magazine and waterworks if desired." Battalion First Tennessee has passed to report to you. Let Stotsenburg go ahead with aid of Tennessee, if conditions permit, and capture magazine. Waterworks must wait. Not prudent to advance small force so far out.

OTIS.

General OTIS: Am making inquiries at various parts of line to determine expediency of moving Stotsenburg as you suggest, so as to extend entire line from Maraquina to Caloocan. Stotsenburg's success on right may have induced them to retire on the left. This I am now trying to ascertain. Do you approve of this movement if I find it expedient?

MACARTHUR.

General MACARTHUR: Do not think extension of our line from Maraquina to Caloocan prudent. Our flank would be greatly exposed at Maraquina. You had all your available troops under arms all night, and portion of them must have rest and sleep, so that you could not place more than 3,000 men on line permanently. I think Stotsenburg meant reservoir and not waterworks.

OTIS.

The Nebraska regiment and Tennessee battalion advanced rapidly during the morning and captured the powder house and deposito, and the South Dakota regiment on the left drove the enemy from all their intrenchments as far to the westward as the Lico road, and about noon the following telegram was sent to General MacArthur:

Reported that insurgent troops were arriving all night and this morning for service in your front. Think line you suggest from coast to Chinese Hospital your proper one, not permitting Stotsenburg to expose your right flank unnecessarily.

The insurgents had firm possession of the railway and all of its rolling stock, and were utilizing it to the best advantage in forwarding to Caloocan its troops from the north. To my dispatch General MacArthur replied as follows:

Have your dispatch. Will act accordingly and try and occupy Chinese Hospital and extend the line to the left from that point. We have everything now to include blockhouse 4, and I have no doubt when Colonel Kessler gets a gun, which I have sent to the front, we will demolish and occupy the hospital if it is still defended by the insurgents. At 11.20 a. m. Stotsenburg is crossing San Juan River at the bridge; have authorized him to proceed according to your advice, but to be prudent and not go too far, as the left of the insurgent line still holding on, or at all events not yet occupied by us.

This line was established during the afternoon, and General MacArthur had little to contend with for the remainder of the day, his chief difficulty thereafter coming from the rear, from which an occasional hostile shot was fired, and in the evening he telegraphed he had everything at the front with the exception of two companies of the Montana, and continued: "If you will look at the map you will see that my line extends from a point opposite San Pedro Macati to the bay. It will hardly be possible to bring anybody in to-night, as new demands may arise. I suggest, but do not request, that a battalion be sent here for an extraordinary reserve, to be placed along the Lico road to Calle Iris."

Two companies were borrowed from the provost guard and placed as requested.

The troops of General Anderson became eager to attack the enemy early on the morning of the 5th, and at 7.48 o'clock a. m. permission was granted, the general being cautioned: Do not advance too far, and look out for your flanks and the *Monadnock*."

General King had asked to swing his brigade, the left of which rested on the Pasig near Santa Ana, to the left, thereby driving the enemy in his front to the river, where he would have him at his mercy. This was authorized and the Californias, Washingtons, and Idahos responding with great vigor, the movement was attended with signal success. The insurgent casualties here were very heavy and many were drowned in the Pasig, having attempted to cross it to escape punishment. Meanwhile the right of Anderson's line, which was confronted by an almost impenetrable thicket, was meeting with serious difficulties. It had driven the insurgents from their intrenchments on the extreme right, but at the center in the jungle and swamp they held on with great tenacity. This position was pressed by a portion of the Fourteenth Infantry, under Captain Murphy, and Wheeler's troop of the Fourth Cavalry, which advanced slowly, shooting the insurgents in their formidable intrenchments, which they had constructed therein, as they refused to yield. At 11 o'clock a. m. I telegraphed General Anderson as follows:

Establish your final line from coast opposite Pasay to San Pedro Macati. This gives you a short line and command of all the roads leading to the north and a fairly open country. You can undertake it as soon as Murphy overcomes difficulty in his front. The North Dakotas can advance along coast of bay near Pasay. You can attend to all this as soon as you are sure of capturing San Pedro Macati.

And I thereupon telegraphed Admiral Dewey as follows:

Have directed Anderson to establish southern line between Pasay and San Pedro Macati on Pasig. He will move down as soon as he has full possession of San Pedro Macati, which will soon fall into his hands. Will you keep vessel to the front to assist advance down coast?

General Anderson seemed doubtful if his troops could obtain possession of the indicated line (the Pasay and San Pedro Macati road) that afternoon on account of the difficulty experienced at his center. He had telegraphed from Battery Knoll, right of Paco bridge, at 12.30 p. m.:

King has taken Santa Ana; 200 prisoners. Many Filipinos reported killed. Our loss unknown; believed not to be heavy. Owenshine has cleared his front on his right, driving them back to our old intrenchments. Captain Murphy said to have advanced to blockhouse 14, but insurgents still hold flanking position on his right. Have sent down one gun which has opened on them, but do not know with what results. Firing still continues. Last seen of Smith (colonel of California regiment, meaning) was advancing on the right with two battalions and entering San Pedro Macati. Prevent insurgent reinforcements crossing river,

And later he telegraphed from Paco bridge as follows:

Major-General Anderson presents his compliments and says that he has sent all available troops to rout insurgents on Captain Murphy's flank, but that present force is inadequate to accomplish this. He requests that he be reinforced with a battalion from General Hughes's command, and with these he is confident he can drive insurgents out.

Another battalion of the Tennessee regiment was borrowed from the provost-marshal and was conducted by my aid, Captain Sanders, to the center of this line, but did not arrive until the ground had been carried.

I had sent Lieutenant-Colonels Crowder and Potter to make known to General Anderson the particulars of the movement desired, and finally, fearing that some misunderstanding might result, explained to Lieutenant-Colonel Barry, my adjutant-general, all particulars, making careful reference to the map, and dispatched him to confer with General Ovenshine. He went direct to that officer, whose troops on the right of the line had returned to the original position of the morning, fearing the shells from the guns of the *Monadnock*, which struck uncomfortably near. When Colonel Barry explained fully to him what was expected of his troops, he at once took up the advance, swinging a part of his line to the left, attacking the enemy in the flank—whom he soon routed and drove beyond the range of fire—and placed his entire line firmly on the Pasay road.

At 4.30 o'clock Colonel Barry telegraphed me as follows:

Have just returned from the fight in front of Murphy's position. Insurgents driven out in sharp fight when General Ovenshine advanced toward Pasay. Little loss to our forces, but insurgents badly handled. Many killed. Will see General Anderson, then return to Malacanan. Word has just been received that Ovenshine has taken Pasay without resistance. Anderson at San Pedro Macati. Will return to Malacanan.

At 4.45 I telegraphed General Anderson as follows:

First North Dakota, Fourteenth Infantry, and Fourth Cavalry on Pasay road. King must fall out and take position on that road to-night. That will be your permanent line. If you can spare Tennessee return it. May be trouble in Tondo and Binondo to-night. MacArthur's troops occupying position far in advance of this morning and all on the line.

During the night of February 4 and the following day the inhabitants of the city were greatly agitated, fearing for their personal safety. Streets were almost deserted, except by our troops. Two or three attempts were made to assemble by the secret military organizations, but were promptly checked by Brigadier-General Hughes, the provost-marshal-general, who had admirably placed and retained his force at the more important points. His action was quick and decisive. Early on the morning of the 5th his police companies so effectively delivered their fire upon these assembling organizations that they were dispersed and discouraged. Their loss in killed could not have exceeded 50 or 60, but they made no further very dangerous demonstrations until the night of February 23, when they suffered a severe experience for their temerity. At the close of the day on the 5th Admiral Dewey inquired concerning the situation, and was replied to as follows:

Situation satisfactory. On south we hold road from Pasay to San Pedro Macati. On the north we hold the water reservoir, San Juan del Monte, and all blockhouses. Country peaceful and city quiet. Troops fought magnificently. Insurgent dead between 500 and 1,000. Lots of prisoners and 2 Krupp guns captured. Insurgents demoralized. We owe you gratitude for your great aid.

Our casualties for the day in killed and wounded numbered about 250. Those of the insurgents will never be known. Our hospitals were filled with their wounded, our prisons with their captured, and

we buried 700 of them. Their loss was estimated at 3,000, and considering the number who died on the field of battle might be deemed conservative.

On February 6 it was ascertained that Colonel Smith, with his Californians, had not halted at San Pedro Macati, but had pursued the fleeing enemy up the Pasig River. No one seemed to know definitely his location, except that it was somewhere in the vicinity of the towns of Pasig, Pateros, or Taguig. He had gone on with 2 battalions of his regiment and occupied these villages, receiving the written surrender of the inhabitants. General Anderson was directed to withdraw him at once to the Pasay road, which he did not reach until the 8th of the month. The enemy took possession of the towns which he had evacuated upon his directed withdrawal and celebrated a victory. They had been collecting to the east of the town of Pasig and on the south, and there was danger that they would cut off Smith's retreat, in case he did not fall back without delay to his directed position.

A movement from the southern line was not considered advisable, as the bulk of insurgent troops were again concentrating on the north in the vicinity of Caloocan, and the short, admirable southern line which we had established was easily defended and could spare troops for any emergency at the north.

On the morning of the 6th our attention was given to the large number of partisans or bushwhackers, mostly in rear of our lines, who were continually firing from nipa huts or other places of concealment upon our passing transportation, messengers, and detachments. Nearly all the barrack guards had been forwarded to the front and the provost guard was widely dispersed on the outskirts of the city. In some instances it was necessary to resort to radical measures and destroy many of the nipa huts which, situated in the bamboo and banana thickets, gave protection to scattered insurgents who doubtless belonged to the interior organizations or city insurgent militia. The day was devoted to the removal of these dangerous and threatening obstacles and the burial of the dead. About noon Colonel Stotsenburg telegraphed from the Deposito, or water reservoir, the following:

General MacArthur instructs me to wire suggestions about waterworks. They should be taken and line of pipe occupied and guarded. I think I can do it from here and if necessary run the pumps, occupying the high ground in rear, and connecting with the left of the First Division at San Pedro Macati. My command consists of the First Nebraska, Tennessee battalion, the 2 companies of the Colorado regiment, and 4 pieces of artillery. There is no engineer at the waterworks and no coal. I do not think we shall find any difficulty between here and there.

Stotsenburg's command was augmented by a battalion of the Twenty third Infantry from the provost guard, under command of Major Goodale, and he was directed to proceed and carry out his plan. Later that evening I sent for General Hale, who commanded the right brigade of MacArthur's line, informing him that I had just received information that a part of Stotsenburg's command was in difficulty, having been attacked by insurgents, and that it was short of ammunition and without water. Hale at once proceeded to the Deposito and wired me that Stotsenburg upon leaving the waterworks had ordered Goodale to take his battalion out the Maraquina road, extending his right to connect with his (Stotsenburg's) left, and continued:

Although I had not contemplated sending any troops to Maraquina, I did not consider it desirable to change orders and leave Stotsenburg's left flank without the protection he was anticipating, and as there was little resistance met through the district traveled and as we heard no firing on our left, there appeared to be no special danger in Goodale's position. We threw some shells in the direction of the headquarters at Maraquina to show them that they were covered by artillery fire and to deter them from any attack they might make on Goodale's command.

General Hale ascertained that the reports which I had received were greatly exaggerated and that no portion of Stotsenburg's command was in any immediate danger. He at once adopted measures to keep open communication with the pumping station, which Stotsenburg had successfully reached, by means of large detachments which patrolled the 4 miles of road between Deposito and the station, and the following morning I received this telegram from General MacArthur:

Stotsenburg just reports that he has found the missing pump machinery, that insurgents have abandoned Maraquina, and that 10 companies went toward Pasig. This command has been actively engaged since Friday and wants to rest to-day and to-morrow. I have authorized him to do so and not to make any further active movement of any kind without specific orders. Large band of insurgents, armed and equipped, moving toward Pasig. Recommend sending gunboat up river to prevent them crossing. Seem to be concentrating south of Pasig. Captain Randolph is now here and I can give him any orders you wish.

To which reply was made:

Order Captain Randolph to take the gunboat to San Pedro Macati and remain in that vicinity. Information will be forwarded to him at that point. Acknowledge and report action.

The gunboat referred to was a former Pasig River passenger steamboat known as the *Laguna de Bay*, which we had seized, though subsequently purchased, about two weeks before active hostilities commenced, for service on the upper Pasig, should occasion require. On her we had placed machine and 6-pounder guns and heavy sheet-iron protection, and detailed for duty with her 2 officers and 65 men. She was commanded by Captain Randolph, of the Third Artillery, and afterwards by Captain Grant, of the Utah Artillery, who was an experienced steamboat man, having been formerly engaged as a captain of a passenger vessel plying the northern United States lakes. She was a formidable and ugly-looking craft, drawing only 4 feet of water, gave the insurgents much uneasiness, and subsequently great fear whenever on the Pasig River, in the waters of the *Laguna de Bay*, or in the rivers of Bulacan province she chanced to appear. She was fearlessly handled and was considered to be equivalent to a regiment of men whenever engaged. Her repeated successes led us to purchase and put in defensive condition three other small light-draft river steamboats or launches, which, though inferior to the *Laguna de Bay* as fighting machines, have rendered excellent service.

The insurgent troops, which Colonel Stotsenburg reported as moving upon the town of Pasig, at the head of the river of that name, were those which, in connection with the insurgents in the south, it was believed were about to concentrate to resist Colonel Smith and his two lost battalions of the California regiment then in that vicinity, which on the 6th had been ordered to withdraw immediately to their intended position at San Pedro Macati.

On February 7 division commanders looked to the means of readily supplying their troops with ammunition, subsistence, and water, and whatever else might be needed. For this service we had only the primitive transportation of the country. A few days before the fighting commenced Major Devol, transportation quartermaster of the command, had been directed to assemble his hired carts at a certain locality in the city upon the first indication of active hostilities and to be prepared to seize and assemble there, also, all wheeled vehicles of which he could obtain possession. These instructions he carried out most effectively, and the firing line was at all times supplied with every essential requirement. Citizens who suffered losses thereby were instructed to submit their claims, which were promptly settled, and over \$7,000 (Mexican) were paid to them on these particular accounts. A good many unauthorized

seizures were made by enlisted men going to and returning from the front, sent in many instances for ammunition and rations. This was checked under formal orders issued on the 7th instant, and all inhabitants were compensated who thereby suffered.

On the morning of the 7th Colonel Stotsenburg reported that he had found all missing parts of the pumping machinery. Steps were at once taken to put this machinery in order and in the course of two days the city was receiving an abundant water supply, which has continued since that date.

The demoralization of the insurgents, which the rough handling they had unexpectedly received from the American mode of conducting warfare hitherto unknown in these islands, and pronounced by them to be new and unsoldierly, continued for two or three days. The leaders, confessing that their men were overmatched by our troops, contended that they could overcome by numbers what was lacking in individual characteristics. They commenced at once a reconcentration of all their forces in every direction, hastening from the north by rail every available man whether armed with rifle or bolo. Still, they had lost a good many of their original soldiers, who, thoroughly satisfied with the results of their war for independence, had escaped to their homes in distant villages. There was no lack of ammunition or subsistence for the troops on the north, but those on the south had lost through capture all the rice and cartridges which they had stored near their original lines and could not be resupplied without difficulty. The bolo men of the city, who had remained quiet since the afternoon of the 5th, began to show again a turbulent disposition, and as early as February 8 became bold and defiant. It became necessary to make new combinations, for the insurgents still persisted in the intention to carry out their former preconceived plan of action, which was to be an attack on our front, assisted by an overwhelming uprising of the city insurgent militia.

Our southern line was short and secure. The northern line had a sharp protruding angle at the Chinese church,  $1\frac{1}{4}$  miles southeast of Caloocan; thence it extended southeasterly toward the deposito; thence south to the Pasig River with a strong outpost at the pumping station, 4 miles east of the deposito. The left of this line was refused, running from the Chinese church to Vitas Pass in a southwesterly direction. Two battalions of the provost guard had been sent to the pumping station and other portions of it had been placed far out in the suburbs. The increased insurgent activity within the city obliged the return of all this guard for city service, and to effect it, the Wyoming battalion, three troops of the Fourth Cavalry, the North Dakota regiment, and two guns of Dyer's Light Battery were withdrawn from Anderson's front. The first organization relieved the Twenty-third battalion at the pumping station. The cavalry and artillery troops were sent to General MacArthur for use in the vicinity of the Chinese church, and the North Dakota regiment was placed in Malate (where an uprising was threatened) for temporary duty.

General MacArthur had requested permission to swing his left on the town of Caloocan thereby giving him an excellent continuous and direct line on good ground from that town to the deposito, but was requested to remain as quiet as possible for a couple of days until the enemy could effect complete concentration in his front, when another opportunity to punish him very severely would be presented. This he did, and on the 10th of the month (it having been reported that Luna had placed about 4,000 insurgents south of Caloocan in front of MacArthur's refused left) he was directed to rectify his alignment, which



he accomplished on the afternoon of the 10th, by a very spirited attack on the part of the Montana, Kansas, and Pennsylvania Volunteers, and the Third Artillery (brigade of Brig. Gen. H. G. Otis) swinging on the Chinese church as a pivot. The attack, preceded by a fire of thirty minutes from the guns of the Navy vessels on and in front of Caloocan, consisted of an impetuous charge which swept away every obstacle, inflicting great damage on the enemy, who fought stubbornly within his intrenchments for a time, but finally fled indiscriminately to the rear. Our troops pursued beyond the line which it was intended to establish, rushed on to and over the stone walls which surrounded the Caloocan cemetery, where the insurgents had placed a strong force, which they well-nigh destroyed. Darkness coming on the troops were quickly recalled, and the line, with the left resting on Caloocan was occupied—the extreme left being refused to guard against any movement from the direction of the town of Malabon.

During the afternoon of February 8 I received the following dispatch from Admiral Dewey:

Have sent flag of truce to San Roque directing withdrawal of insurgent troops. If white flag is not flying at 9 a. m. to-morrow shall open with ships. Please direct colonel commanding to occupy San Roque after insurgent troops leave. This is most important in interest of navy.

San Roque was a thickly populated village connected with the naval station at Cavite by a causeway over a narrow intervening strip of water and was at the mercy of the guns of the navy. The insurgent troops formerly occupying Cavite had taken possession of this point, where they had been augmented by considerable accessions from the Cavite province. Our own troops, consisting of the Fifty-first Iowa Regiment, 2 California battalions of heavy artillery, the Wyoming Light Artillery, and the Nevada troop of dismounted cavalry, commanded by Colonel Loper, of the Fifty-first Iowa Regiment, occupied Cavite and guarded the causeway between the two towns. Upon receipt of the Admiral's telegram, Colonel Loper was properly instructed, and at 9 o'clock on the morning of the following day the insurgents, having kerosened San Roque, fired it and withdrew, crossing the neck which joins it to the mainland. Our troops at once took possession and by persistent efforts saved from destruction many of its best buildings. The inhabitants fled, preceding or accompanying the insurgents, and Colonel Loper stationed guards there and placed a force across the narrow neck of land at a point about a mile distant from Cavite, where he confronted the insurgent intrenchments on the main shore, where troops have since been maintained and from which point they have operated by reconnoissance as far as old Cavite and San Francisco de Malabon.

Affairs at the open ports of Iloilo and Cebu, for which foreign and domestic merchant vessels had persistently cleared, furnishing goods and paying tribute to the insurgent authorities, and foreign men-of-war were intently watching the progress of events, gave great annoyance. The questions presented bristled with conundrums of a political character, and the United States consuls on the Asiatic coast wanted positive information of condition and status. The territory was no longer Spain's, but we still hesitated to take decisive action for fear of provoking the insurgents, or really giving them the excuse to attack us which they desired. Now this last obstacle had been removed by their determined onslaughts on Manila, and it was very important for overmastering political reasons to take possession of these southern ports, through force or otherwise, as circumstances might demand. Notwithstanding our military strength at Manila was so limited that we could

not pursue into the interior the fleeing enemy, we knew our ability to worst him should he appear anywhere in our vicinity, and concluded that exigencies compelled us to clear up the field which we were confronting at Iloilo. On February 7 I asked authority to direct General Miller to take the place. This being received, the Tennessee regiment, which had been acting with the Manila provost guard, was forwarded to that point, sailing on the 9th instant. On the evening of the previous day I dispatched Lieutenant-Colonel Potter with the following instructions:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
*Manila, P. I., February 8, 1899.*

Brigadier-General MILLER, U. S. V.,  
*Commanding First Separate Brigade, Eighth Army Corps, Iloilo, Panay.*

SIR: The commanding general directs that you occupy Iloilo with your troops as soon as practicable, having a care for the lives and property of the inhabitants of that city and giving to citizens the necessary notice to withdraw therefrom in case resistance is anticipated.

The admiral commanding the United States naval forces on the Asiatic Station will direct the commanding officers of naval vessels in the harbor of Iloilo to support you in your operations.

Avoid destruction of property in so far as may be possible with successful operations, and endeavor to prevent destruction of same by native troops.

The First Tennessee regiment will sail for Iloilo to-morrow morning, the 9th instant, and upon its arrival you will be able to make your dispositions.

The commanding general trusts to your ability and discretion, and does not desire to give you more specific instructions, permitting full latitude of action on your part. These instructions will be handed to you by Lieutenant-Colonel Potter, who leaves this evening by steamer *Butuan*. He will remain with you until you are able to report the results of your action in executing these instructions, when you will dispatch him to these headquarters with report of same.

Very respectfully,

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

Shortly after Lieutenant-Colonel Potter arrived with instructions, and on the morning of the 10th General Miller had a conference with the commanding officers of the United States war vessels in the harbor and with certain business men in Iloilo, when the time to be given the insurgents to surrender or evacuate and for the inhabitants to withdraw from the city was determined upon. With the navy commanders the plan of battle, in case it became necessary to forcibly take the place, was discussed, but not fully agreed upon. The results arrived at are given in the following communications:

HDQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
*Iloilo Harbor, P. I., February 10, 1899.*

COMMANDING GENERAL NATIVE FORCES, *Iloilo.*

SIR: In a communication from Gen. Roque Lopez, dated December 31, 1898, it was stated that armed resistance would be offered to the forces of the United States in case they attempted to occupy Iloilo without the consent of General Aguinaldo. This communication was referred, for instructions, to Major-General Otis, commanding the United States forces in the Philippine Islands. After a long delay orders have arrived, and I am now directed by him to occupy the city of Iloilo with my troops as soon as practicable. I therefore call on you to deliver up the city of Iloilo and adjacent territory, and to surrender the armed forces occupying the same before sunset Saturday, the 11th instant, or I shall proceed with my troops to occupy the city by force. It is requested that you give warning to all noncombatants in Iloilo, Jaro, and Molo that in case of resistance their city and villages will be exposed to bombardment. Any attempt on your part in the interim to close the Iloilo River or to throw up or improve any defensive works will at once be met by fire from the United States war ships and my troops. Free ingress and egress to boats going to and coming from Iloilo will be permitted until sunset Saturday, the 11th instant. After this time all communications must be under flag of truce.

Official communication has been received by the steamship *Butuan* of the complete defeat and scattering of the insurgent forces in the neighborhood of Manila.

Very respectfully,

M. P. MILLER,  
Brigadier-General, U. S. V., Commanding.

HDQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
ON BOARD TRANSPORT NEWPORT,  
Iloilo Harbor, P. I., February 10, 1899.

To the British, German, and American Vice-Consulates:

In view of anticipated hostilities, notice is hereby given you to cause all persons who are under your protection to seek a place of safety before 5 a. m. Sunday, the 12th instant. Hostilities may commence at any time after that hour and date.

Very respectfully,

M. P. MILLER,  
Brigadier General, U. S. V., Commanding.

Official copy also respectfully furnished commanding officers H. M. S. *Pigmy*, and U. S. S. *Boston*, and U. S. S. *Petrel*.

By command of Brigadier-General Miller.

CHAS. G. WOODWARD,  
First Lieutenant, Third U. S. Artillery, Acting Assistant Adjutant-General.

The Tennessee regiment arrived at Iloilo on the night of February 10, and next morning about 9 o'clock four commissioners sent by the inhabitants boarded the *Newport*, General Miller's vessel, to discuss the situation. While in conference two shots were heard, which were fired from one of the war vessels as warning shots to the insurgents who were engaged in throwing up intrenchments at or near the fort located on the city's water line, against which proceeding they had been warned in the letter furnished them the previous day. To these shots the insurgents replied, and at 9.30 a. m. the fort and the war vessels (the *Baltimore* and *Petrel*) became actively engaged. The army not anticipating this action, had made very little preparation for landing its troops. The navy attack was followed by a landing of its men, the seizure of the fort, the hoisting of the United States flag over the same and the entrance of the men to the city—the insurgents retiring before landing was effected, and firing the town during their retreat. Lieutenant-Colonel Potter, who was a witness and participant in the affair, made written report of the events which came under his observation. The vessels which he mentions, namely, the *Arizona*, *St. Paul*, and *Newport*, were troop transports; the *Boston* and *Petrel*, vessels of the Navy; the *Iloilo* and *Vicenti*, launches. Colonel Potter states as follows:

As we left the *Arizona* we saw the *Boston's* boats about halfway to the shore. The captain of the *St. Paul* wanted to move his vessel nearer shore and was allowed to do so. As she anchored, her starboard boats were full and we towed them in and landed them, while the *Iloilo*, which came up (having been relieved at the *Arizona* by the *Vicenti*, which had left the flatboat anchored) towed in the port boats a few minutes later. The exact time of this landing I did not note, but afterwards saw a recorded signal from the *Petrel* to the *Boston*, which said it was 12 o'clock. All of this took time, as the tide was running very strong. From our launch, as we preceded the *St. Paul* to her anchorage near shore, we saw the flag hauled down and ours go up, and soon after saw the navy forces advancing from the fort to the first warehouse, where they appeared to stop and come back. This afterwards proved to be only the *Petrel's* men, who landed on the other side of the fort, where we had not seen them, while the *Boston's* men under Lieutenant Niblack, had gone uptown. Not knowing this, I started up the road, where I was met by a signal man from the *Petrel*, who said they had received a message from the *Petrel* that we must be careful in advancing into town, as a great many insurgents were left in the buildings as well as in rifle pits which were dug on either side of the street. This caused us to wait for a sufficient force to occupy all side streets

and advance cautiously (at least half an hour being thus lost), when, to our surprise, on arriving at the custom-house, we found Lieutenant Niblack's force receiving a few shots from the enemy up river, but they had come to this point without seeing any insurgents or hearing a shot.

At the first shot from the *Boston* the insurgents began firing the town as they retreated up town along the main street, fire being applied to both sides of the street. I saw some places where they had failed to set fire, but where wood saturated with coal oil was piled against doors. Before the Navy was through with the bombardment fires had been set away up on Calle Real, and as a strong breeze was blowing there was little chance of saving anything to leeward of the fires.

A few troops with General Miller got through the fires just beyond the custom-house, but the rest of us were cut off from advancing for two hours. These few troops advanced with no resistance and took Jaro and Molo bridges. Fires were set along the road to the Jaro bridge before any possible landing could have saved them, and very little was burned except to leeward, where the smoke and flames were such as to drive back company after company trying to get to the few troops in front, who would be in great peril if attacked in force. But all attempts failed for a time. I saw two companies of Major Cheatham's battalion try to get around by wading on the beach, but they were driven back. It was a case which would have baffled professional firemen with a complete apparatus for fighting fire.

General Miller, in a report made February 20, remarks:

No arrangement or agreement with the senior officer of the Navy was made that he should open the attack without conferring with me, but it seemed he construed my letter to the insurgents in that light and commenced the attack. My command had been living on the rough bay ever since first arriving. With great difficulty we had gotten possession of two lighters and three steam launches to transfer coal barges, etc., from supply ships to permanent ships. At the time of the attack the *Samar* was endeavoring to tow the barge *Cartagena* to the *Newport* for the purpose of placing a light battery on it. The *Arizona* had a coaling ship alongside; the other launch was en route to the *St. Paul*. \* \* \* The Navy landed their forces promptly, and found upon arrival at the plaza an almost impassable barrier of fire toward Jaro bridge. I think a quicker landing of my troops would have found the same conditions in front; as it was, I pushed through the flames with what force I could get through and saved several buildings beyond the plaza, near Jaro bridge, and along the banks of the Iloilo.

I now quote from the accompanying report of General Hughes, commanding at present in the Visayan Islands:

Upon receipt of this information ways and means were taken by the insurgents, then in occupation and control, for burning the city. Large quantities of petroleum were secured and stored in the ayuntamiento, Calle Rosario, Calle San Pedro, etc. In the early morning of February 11, before any shots had been fired or any immediate action was evident, these supplies of oil were distributed about the city and placed in dwellings, shops, stores, etc., so as to make the work of the incendiaries easy, swift, and sure. The statement is made that the local president and other officials in uniform assisted in the distribution of the petroleum, and the mayor of the city, Señor Leon, is said to have followed the example of the mayor of Moscow by setting fire to his own house before abandoning the city, which had been confided to his care.

On the morning of the 11th the insurgents were discovered putting guns in position on the beach for defense, and as this was in violation of the conditions specified by General Miller in granting time for noncombatants, etc., to make their dispositions for what might occur, the naval gunboat *Petrel* fired two warning shots, upon which the land battery being put in position opened fire on the *Petrel*, which opened an action that had not been contemplated or expected on the part of either the troops or their commanders until the following morning.

Firing having opened between the hostile forces, the incendiaries in the city immediately began their assigned work, and the city was soon in flames. Meanwhile the troops were being landed on the beach and the right bank of the river, and working their way through and around the fire succeeded in reaching and securing possession of the bridge across the Iloilo River leading to Jaro, and also the bridge across the estuary on the road to Molo. Possession of these points assured General Miller's possession of the city. In submitting the fact to the department commander General Miller remarks:

"It was not contemplated to make an attack before the hour named to the consuls, but the insurgent forces having begun acts of hostility, military necessity required that action should be taken and followed up. Such action certainly made no difference regarding the destruction of property, as it was a matter of common

report that every preparation had been made by the forces of the insurgents at Iloilo to set fire to the city at the first hostile shot."

In another letter, written by General Miller on the 21st of February, the following remark occurs:

"I have no doubt it is owing to the premature attack that any of the buildings are saved. The plan was one of total destruction by fire."

On the following day the suburb of Jaro was taken by Major Keller with a battalion of the Eighteenth Infantry and a battery of machine guns. General Miller reported as follows:

"HDQRS. FIRST SEPARATE BRIGADE, EIGHTH ARMY CORPS,  
"Iloilo, P. I., February 12, 1899.

"ADJUTANT-GENERAL, DEPT. OF THE PACIFIC AND EIGHTH ARMY CORPS.

"SIR: I have the honor to report the military situation as very vexatious. We have captured Iloilo, as before reported, but the position of the insurgents has been such that all the time we are exposed to sharpshooters' fire with the Mauser rifle, and no one knows when he is safe. Jaro and Molo occupied would relieve us from this trouble, but I should have a battalion of four companies more to hold Molo. To-day at 2 p. m. I sent a reconnoissance to both Jaro and Molo—a battalion of the Tennessee to Molo and one of the Eighteenth Infantry to Jaro. At Molo no enemy was found; at Jaro the enemy was encountered and skirmishing commenced at once. The insurgents were about 1,000 strong. They threw an accurate and concentrated fire. They fought well, but finally retreated to Jaro and were driven beyond it. I reinforced the first battalion with the second, and we held Jaro to-night. Second Lieut. F. C. Bolles, Eighteenth Infantry, attached to the machine battery, was wounded through the left leg below the knee and one private through the lung and another through the leg. Will send specific report as soon as possible. Our troops of the Eighteenth were under the command of Major Keller, and afterwards the two battalions were under the command of Colonel Van Valzah. Major Keller's battalion, assisted by the machine-gun battery, under Lieutenant Ostheim, did the work. Major Keller is an able, fearless, and brave officer; also Lieutenant Ostheim. I shall make recommendation about them later.

"Very respectfully,

"M. P. MILLER,  
"Brigadier-General, U. S. F., Commanding."

On the 14th of February Major Keller made a reconnoissance in the direction of Santa Barbara, and 1 miles from Jaro he encountered the enemy, about 500 strong, and drove them back some distance. He lost 1 noncommissioned officer killed and 1 wounded.

On the 19th of February a reconnoissance was made to Oton by a battalion of the First Tennessee Volunteers, but no enemy was found.

A battalion of the First Tennessee Volunteers made a reconnoissance in the direction of San Miguel via Mandurriao on the 25th of February. The enemy was found a short distance beyond Mandurriao and driven back without loss to our troops.

The military operations which have since taken place in Panay will be noted in a later portion of this report. As soon as Iloilo was occupied by our troops a government was established and has been successfully prosecuted.

The rapid changes in the spirit, demeanor, and demonstrations of the inhabitants of Manila of all classes between the 5th and 10th of February could be witnessed only in a community made up of the most heterogeneous elements. On the 6th the educated business classes, foreign and native born, were surprisingly hopeful that hostilities would soon end. The natives of the middle and working classes were sullen, though undetermined. The large Chinese laboring population rejoiced over the punishment of their race enemies and the opportunity offered it for looting the country from which the insurgent forces had been driven. These Chinese had followed quite closely our advancing lines and secured many minor articles of property which by them were considered of value. We had employed them, too, extensively to perform a good deal of the work connected with supplying the troops at the front, and they performed faithful service. On the 7th business became active again and the streets were thronged as usual. The night was the most exciting portion of the twenty-four hours, as the occa-

sional shots of our sentries, the burning of nipa buildings (the work of incendiaries), and the frequently detected interchange of signals between the insurgents within and those without the city lines gave constant warning of the dangers which threatened us. The means of supplying subsistence for this large motley population presented a problem for solution in which new conditions continually obtruded themselves. The great majority of the population never provides for the morrow and depends upon the numerous city markets for its daily supply of food, made up almost exclusively, rice excepted, of the products of the adjacent country. That source of supply had been virtually closed since the latter part of January, and interisland traffic had been arrested by the event of war. On February 8 it was officially reported that the insurgent troops to the east of the city had returned to the mountains and those to the south had disappeared, whereupon orders were issued to permit the resumption of trade along the Pasig River to the Laguna de Bay. This it was expected would give Manila the products of the lake country, from which source she had always obtained a large portion of articles for daily consumption. No sooner, however, was this traffic reopened than the insurgents seized the Upper Pasig country and threw a large force into the towns of Pasig, Pateros, and Taguig, which it advanced to Guadalupe, within rifle shot of San Pedro Macati, where the left of General Anderson's line rested. The bold resumption of the offensive at this point, the rapid concentration taking place at the north, and the restoration of communication between the northern and southern insurgent armies depressed the better social element of the city and correspondingly elevated the hopes of the hostile military organizations in our midst. Active demonstrations, in attacking troops on the streets, setting fires in thickly populated districts, with an occasional murder or assassination, were resumed, and rendered it again necessary to take every precautionary measure for the city's safety. Orders were given to the division commanders to confine the duties of their men within the city to the protection of their barracks, and not permit them to patrol the streets, as the provost-marshal-general was prepared to effectually repress any attempt on the part of the inhabitants to inflict serious damage.

On the evening of February 9 I wired General MacArthur at the Chinese church, the advanced angle of his line, the following:

Reported that the insurgents will attack at 3 o'clock in the morning. Their plan to attack your front in large force and at the same time to rise in your rear in Lico district. They have been entering through Vitas swamps all day and landing at intersection of Calle Sande and Calle de Lemery at bridge. Bolo men will form between Vitas district and Lico road.

About the same hour General MacArthur telegraphed:

It has been necessary to reinforce the blockhouse at the mouth of Vitas Creek on account of the threatening attitude of the surrounding population. Please have the situation examined and either authorize the abandonment of the blockhouse entirely or make it part of the provost duty of the city. The company there is from Kansas, and concentration in front of that regiment is reported as still in progress.

The general was directed to hold on to the position, it being considered of vital importance, and assistance was sent to the company occupying the point. Later the general was instructed in telegram as follows:

Not intended that you should keep 3 troops at Vitas Creek unless necessary to protect your rear from contemplated annoyance on part of inhabitants of section. You are far out and General Hughes can not efficiently reach you. The bolo men of Tondo are restless to-day.

The action of February 10, already hereinbefore reported, followed, but instead of having a quieting effect on the hostile portion of the inhabitants, appeared to incite them to greater energy. Rumors of meditated uprisings were constant and were only checked by the untiring watchfulness of the provost guard. Fires in different sections of the city, mostly in the outskirts, were of nightly occurrence.

On February 15 the provost-marshal-general secured an order issued by the Malolos government through the responsible officer who had raised and organized the hostile inhabitants within the city and then departed for the insurgent capital, which directed a rising that evening, and which for barbarous intent is unequaled in these modern times of civilized warfare. A translation reads in part as follows:

First. You will so dispose that at 8 o'clock at night the individuals of the territorial militia at your order will be found united in all the streets of San Pedro armed with their "bolos" and revolvers and guns and ammunition, if convenient.

Second. Philippine families only will be respected. They should not be molested, but all other individuals, of whatever race they may be, will be exterminated without any compassion after the extermination of the army of occupation.

Third. The defenders of the Philippines in your command will attack the guard at Bilibid and liberate the prisoners and "presidarios," and, having accomplished this, they will be armed, saying to them, "Brothers, we must avenge ourselves on the Americans and exterminate them, that we may take our revenge for the infamies and treacheries which they have committed upon us. Have no compassion upon them; attack with vigor. All Filipinos 'en masse' will second you. Long live Filipino independence!"

Fifth. The order which will be followed in the attack will be as follows: The sharpshooters of Tondo and Santa Ana will begin the attack from without, and these shots will be the signal for the militia of Trozo, Binondo, Quiapo, and Sampaloc to go out into the street and do their duty. Those of Paco, Ermita and Malate, Santa Cruz and San Miguel will not start out until 12 o'clock unless they see their companions need assistance.

Sixth. The militia will start out at 3 o'clock in the morning. If all do their duty our revenge will be complete. Brothers, Europe contemplates us. We know how to die as men, shedding our blood in defense of the liberty of our country. Death to the tyrants, war without quarter to the false Americans, who have deceived us! Either independence or death!

Of course arrangements were made to immediately check this contemplated demonstration, but the order gave us our first positive assurance of the tactics which the insurgents intended to pursue and confirmed the rumors of intent which had been prevalent since the last week in January. This fortunate precaution served to keep very active the watchfulness of all officers charged with the safety of the city, and vigilance was rewarded on the night of February 22, when a directed rising was attempted and was successful in its inception and primary stages. Considerable numbers of armed insurgents, passing by water and through swamps around MacArthur's left, entered Tondo, the northern district of the city, about a mile to the rear of his line, and there concealed themselves, awaiting their opportunity. Shortly after dark in the evening a number of buildings, some of considerable importance, situated in the thickly settled portion of Binondo, were simultaneously fired, having been previously kerosened, and while the city fire department (a department the membership of which was confined to natives who had always proved loyal) was making great efforts to extinguish the fires, or at least hold them under control, the fire hose was repeatedly cut and musketry shooting commenced very near them at the north, on the Tondo and Binondo line. This General Hughes, present in person, soon checked with his troops, driving the attacking parties northward, when other fires broke out in the Binondo district near the river bank, which threatened our army supplies.

These were quickly extinguished and the armed insurgents again driven northward. Early the next morning General Hughes moved against this enemy secreted in Tondo, which may have numbered 1,000 or more, drove it northward toward General MacArthur's lines, although it resisted stoutly from its concealments in the bambo and rice paddies, and behind barricades which it had erected. The enemy's casualties numbered about 500, while General Hughes's loss, owing to the rapidity and fierceness of his attack, was very slight. This punishment put an end to the dangerous demonstrations within the city on the part of the insurgent inhabitants, and thereafter they failed to respond to the orders given them by the Malolos government, much to the latter's indignation, which charged them with a lack of patriotism. Since February 23, few shots of sentinels or patrols have been heard within the confines of Manila, and those in the nighttime, which were aimed generally at the towers of churches and convents from which responsive signals were being transmitted to the signals seen at prominent points occupied by the insurgent troops.

While these interesting events were passing in Manila, our outer lines were being placed in a condition of defense so that they might be securely held by fewer troops, thus giving us the men to operate with and initiate attack on the increasing forces of the enemy, who were becoming quite bold again. The length of our line north of the Pasig River was about 9 miles, and it was necessary to maintain it for the safety of the city and the protection of our water plant. Besides the force at the pumping station, we were obliged to keep a large detachment on the Maraquina road north of the station, and to patrol the road between it and the reservoir, a distance of about 4 miles. These detached troops, which were commanded by Colonel Stotsenburg, invited the attention of the insurgents. About the 12th instant they made a spirited attack on the Maraquina outpost, but were signally defeated and driven several miles northward through San Francisco del Monte toward Caloocan. On February 22 the First Nebraska and Wyoming Volunteers attacked and scattered a considerable body of insurgents between the reservoir, pumping station, and Pasig River, which had placed itself in that locality, and on February 24 a detachment of the Oregon regiment and a company of the Nebraska infantry attacked and defeated an insurgent force north of the Maraquina road. Similar actions occurred on the 25th and 27th of the month, when the persistent enemy was driven northward with considerable loss. Again, on March 5, 6, and 7, portions of the Nebraska, Oregon, and Utah troops were obliged to attack and drive off other bodies of insurgent troops which appeared near the pumping station and on the Maraquina road. These expeditions served to check their ardor in that direction, and they began to pay more attention to other portions of our lines, becoming very annoying in the vicinity of Caloocan and in front of San Pedro Macati. At these points the troops wanted to attack, but nothing substantial could be gained thereby and the city would be exposed needlessly. The line of the Pasig was considered as the first requisite to improve our military situation, and we were awaiting the arrival of troops, daily expected. The Twentieth Infantry reported February 23, and the Twenty-second Infantry March 4 and 5. This gave us sufficient additional force to take the initiative. We had lost the Tennessee Volunteers, sent to Iloilo, and received two additional regiments, and our enlisted strength for duty in and around Manila, the provost guard included, numbered nearly 15,000 men. A provisional brigade was formed consisting of the Twentieth and Twenty-second regiments of



infantry, 3 troops of the Fourth Cavalry, a section of Light Battery D, Sixth Artillery, 2 battalions of the Washington and 7 companies of the Oregon Volunteers, and Brig. Gen. Lloyd Wheaton, U. S. V., was placed in command. This brigade engaged the enemy at Guadalupe ridge, near San Pedro Macati, at Pasig, Pateros, Cainta, and Tagnig, and drove him out and beyond these towns. The insurgents, however, concentrated near Taguig, and made a spirited attack on General Wheaton's troops there, inflicting a few casualties, but he collected his forces quickly and early the next morning made a counter attack, which the insurgents were unable to withstand, routed them and drove them 15 miles down the shore of the lake. Their losses in killed and wounded numbered more than 200, while General Wheaton's casualties in the entire six days engaged (between March 10 and 17) did not aggregate 30. The gunboat *Laguna de Bay*, Captain Grant, of the Utah Artillery, commanding, assisted greatly in these affairs, opened the river to the lake which she entered, dispersed the insurgents' shipping, which consisted of launches, cascoes, and innumerable small boats, considerable of which were captured. Garrisons were established at the towns of Pasig, Pateros and Taguig, with one gunboat in the lake and one in the river, when the remainder of the brigade was returned to the city and incorporated in other organizations. The line of the Pasig was thus established and the insurgent communication between their forces to the north and on the south was permanently interrupted.

In the meantime my native scouts were obtaining information at the north. Malolos had become a war depot: also Calumpit and Baliuag. It was reported that the former city contained a very large quantity of rifle ammunition: that the intervening country beyond Caloocan and along the line of the railroad was virtually covered with defensive works, intrenchments having been constructed every few hundred yards. Lieutenant-General Luna boasted of having available on the short line fronting General MacArthur's left 16,000 men, but my scouts numbered those between Caloocan and Malolos at from six to eight thousand and verified their estimates by personal observation. This concentrated insurgent force was then our true objective, and it was believed that it would stand and receive our attacks. Our troops were impatient to be let loose and were in excellent health and spirits.

The Fourth and Seventeenth Infantry, with Major-General Lawton and staff, arrived from New York City between the 10th and 22d of March. New military combinations were made on March 17, General Lawton relieving Major-General Anderson, who had been advanced to the position of brigadier-general in the regular establishment and directed to proceed to the United States. Both this division and the second, that of General MacArthur, were given three brigades, those in the first commanded by Brigadier-Generals Owenshine, King, and Wheaton, and those in the second by Brigadier-Generals Hale, Otis, and Hall. To secure sufficient force for the northern advance it was necessary to take all available organizations from both divisions, but Manila and the waterworks must remain covered. A separate column for General MacArthur was made up from his own immediate command, composed mostly of the volunteers, and consisting of the brigades of Brigadier-Generals Otis and Hale, the Colorado regiment being left to guard the deposito and pumping station. Brigadier-General Wheaton was directed to take command of the left of this line from La Loma to Caloocan, and the Kansans, Montanas, Pennsylvanians, and a battalion of the Third Artillery and nearly all the Utah Light Artillery were relieved therefrom by the Oregon Volunteers, the Third and Twenty-

second Infantry, a battalion of the Twenty-third Infantry of the provost guard subsequently reporting, and two or three days thereafter the Minnesota Volunteers, which had been relieved from the provost guard by the Twentieth Infantry. Brigadier-General Hall was assigned to the right of this line, having the Colorado and Wyoming troops, the Fourth and Seventeenth Infantry, and a platoon of the Utah Light Artillery. He was directed to make a demonstration to the north when General MacArthur should take up his advance, for which everything was in readiness on March 24. That night the troops intended to take part in this particular movement were withdrawn from the trenches and assembled behind La Loma and the Deposito and very early the next morning proceeded on their march. General MacArthur's instructions were to move in two columns in echelon from the right, the right brigade (Hale's) preceding the left (Otis's) by a considerable distance, so that the latter would cover the left and rear of the former and neutralize any attack from the insurgents in that direction, who were very strong from Caloocan to Balintauag on the Novaliches road. Wheaton, whose left rested at La Loma, and who was expected to swing to the left on Caloocan at the proper time, was directed not to move until specially directed, unless MacArthur's left column should become seriously engaged and need assistance. The advancing columns were to move on Novaliches—Hale's brigade to that point by San Francisco del Monte and Bagbag, and Otis's keeping to the left and retired was expected to strike the Novaliches road near and to the right of Balintauag. Crossing the Tulihan River, fordable at Novaliches, they were to turn to the westward and thence proceeding by the road which strikes the railway south of Polo were to place themselves on the left flank of the enemy while General Wheaton made a frontal attack. This matured plan failed in part, owing to the natural obstacles which were constantly met on the line of march. Hale's brigade moving by San Francisco del Monte encountered serious difficulties there and beyond, and was obliged to drive off detachments of the enemy, by which it was unavoidably detained, and the left brigade gained the advance. It was attacked by the insurgents, when Wheaton commenced his swinging movement to the left and diverted their attention. The brigade struck the Tulihan River some distance below Novaliches, crossed its artillery and transportation only by a great deal of labor, because of the high banks and the dense growth of brush, while the right brigade continued on to Novaliches and took the designated western route. This march was exhausting in the extreme, and the entire day was consumed when the right bank of the river was attained. Early the next morning both brigades marched toward the railway, but could not develop a line northward in the immediate vicinity of Polo, as intended, on account of the swamps, thick masses of brush, and tropical undergrowth through which the artillery and transportation could not be passed, not even the men.

While these brigades were executing this movement that of General Wheaton had engaged the enemy with great spirit. Some time before evening it had driven him from all of his intrenchments back and across the Tulihan River, which it was about to cross in pursuit when its advance was arrested to await developments on the enemy's left flank by the troops expected from Novaliches. The next morning, as soon as the head of that column had about gained the railway line, it was permitted to renew the attack, and, quickly passing the river at two points and aided by the flanking troops, completely routed the enemy and drove him northward and beyond Polo, where he made a determined

stand the following day, from which he was driven by General MacArthur's united troops with considerable loss. From that date to end of the month MacArthur pressed northward the enemy, who stubbornly contested every village and locality having defensive advantages and burned every town from which it was obliged to retreat. Our troops entered Malolos, the insurgent capital, March 31. That alleged government had removed all its records and property, and its army set fire to the city when it retreated on Calumpit and Quingua before our advance. The troops needed rest, and it was necessary to repair the railway over which the advance had been made in order to forward the necessary supplies. The line of communication, too, was long, considering the position of the enemy on our flank and the few troops which could be spared to protect it, and it was believed that a water base could be established at Malolos which would make available for the field an additional 1,500 men. Our casualties from the commencement of hostilities to April 1 were 12 officers and 127 enlisted men killed and 48 officers and 833 enlisted men wounded. The sick among these troops which had advanced to the north increased to 15 per cent, due mostly to their exhaustive labors and to heat prostrations.

Efforts to secure a water line of communication by Manila Bay and the Malolos estuary were made immediately and continued for more than two weeks. The proper mouth of the estuary was found with considerable difficulty. A bar had formed in front of it, making the entrance very tortuous. Up this two of our gunboats worked their way, but encountered well-driven piles and other obstructions which the insurgents had placed there and around which mud and sand had collected, making the water too shoal for navigation. Near the mouth of the stream a dredge was used and the gunboats removed a good many of the pile obstructions, but satisfactory results could not be obtained and the work was abandoned. A considerable detail of soldiers was made to put in sufficient repair for immediate use the railway from Manila to Malolos, and Chinese labor was hired. The track had been considerably damaged by the insurgents and a number of bridges partially destroyed, but Major Devol, of the Quartermaster's Department, overcame all difficulties, and, with the engines captured at Caloocan, gave Malolos daily railway train service.

While these preliminaries to a farther northern advance were being made General Lawton, commanding the First Division of the corps, was directed to proceed to the city of Santa Cruz, on the south shore of the Laguna de Bay, and secure a number of launches and a Spanish gunboat, which were reported to be concealed in a narrow stream passing along the eastern limit of that city. Returning, he was directed to seize Calamba, an important strategic point on account of its being at the intersection of important roads and telegraphic lines. For this purpose he was obliged to draw troops from the lines about Manila and along the Pasig River. He collected and concentrated parts of organizations, numbering all told 1,509 men, consisting of 3 dismounted troops of the Fourth Cavalry, 2 mountain guns, 8 companies of the Fourteenth Infantry, 4 companies of the Idaho and 4 of the North Dakota Volunteers, and an organization of 200 sharpshooters, largely drawn from the Washington regiment. With these troops, in several cascoes towed by three of our gunboats, he proceeded across the lake on April 9, captured on the following day Santa Cruz, which he found intrenched and strongly defended, drove the enemy several miles into the interior, and proceeded to secure the vessels for which he had been sent. The water of the lake had become very low and the boats could not be

passed over the bar at the river's mouth. Reporting this fact and the further fact that he could not make a landing at Calamba on account of shoal water, a dredge was sent him from Manila, and also instructions to return immediately to the city with his force as soon as he could secure possession of the vessels in the river, as his services were required here, and that the taking of Calamba was not imperative at this time. He returned on April 17, bringing six steam launches and two cascoes which the enemy had concealed near Santa Cruz. The Spanish gunboat was not found, and was subsequently captured at Calamba with machinery in good condition, but without her guns, which the insurgents had taken for land service.

The insurgents at the north were becoming very bold again. They had worked around in the swampy country to the westward and rear of Malolos, and down along the roads, paths, and villages to the eastward, from which they were making occasional nightly incursions on the railroad for the purpose of destroying it. We could not remain quiet, as we did not have sufficient troops to maintain the long lines we were holding if we permitted the enemy to concentrate and take the initiative. The total strength of the Eighth Corps present in the Philippines at this time was 967 officers and 25,036 enlisted men, of whom 5,000 were serving at Cavite and the Visayan islands. Of these 836 were of the Engineer, Signal, and Hospital Corps; 2,739 were sick and in confinement as prisoners, and some 1,500 were on special duty in the various staff departments or assisting in civil administration. The available fighting force in Luzon, Cavite excepted, numbered, therefore, about 16,500 men.

General MacArthur could not advance beyond Malolos with the troops at his disposal while the enemy so seriously threatened his flanks and line of communication. To assist him, the formation of an independent column, to consist of nearly 4,000 men, to be taken from the Manila lines and the railway guards, and to move to the north, on the flank of the enemy, was determined upon. The formation and movement of this column was intrusted to General Lawton, who entered upon this special service as soon as he returned from Santa Cruz. He concentrated near Caloocan the Twenty-second Infantry, which had been relieved from duty on the railroad a short time previous; 8 companies of the Third Infantry; the First North Dakota Volunteers; 4 troops of the Fourth Cavalry (one mounted); Hawthorne's battery of light guns, portion of Light Battery D, Sixth Artillery; and a detachment of the Signal Corps. He was furnished with such transportation of the country as could be secured, and was instructed to move these troops along the base of the mountains by Novaliches, San Jose, and Nozagaray, where the balance of his column, consisting of 8 companies of the Minnesota and 7 of the Oregon Volunteers, to be taken from the railway and to march from Bocaue by way of Santa Maria, would join him. The last-named troops were to escort ten days' supplies for his command by quartermaster's transportation, which had just been received from the United States and was then being put in readiness for the road. These movements commenced, and the railroad south of Bigaa being thereby rendered secure, it was intended that General MacArthur should move on Calumpit, leaving sufficient force between Bigaa and Malolos to guard his line. General Lawton, after concentration at Nozagaray, was directed to move on Baliuag, from which point, the swamps being dry, he could act on an enemy opposing MacArthur's advance. General Lawton started from near Caloocan on April 22; encountered some opposition from the enemy at Novaliches and en route from San Jose,

which did not impede his march; but soon after leaving Novaliches his road, a well-defined and prominent one on all Spanish maps, became a trail, and subsequently a trail crossing or passing through rice patches, swampy country, and unbridged streams, over which his advance was conducted with the greatest difficulty. His troops proved equal to the occasion, and after he had lost many of his carrabaos, or water buffalo, from heat exhaustion, they cheerfully hauled the transportation, working one day the entire time for 3 miles progress. He in person reached Nozagaray on April 25 and met there the Bocaue column, which had arrived that morning, and there awaited the Bocaue transportation and supplies, which had been detained, and the rear of the Novaliches column.

General MacArthur took up his advance on the 24th. The Bagbag and Calumpit rivers, over which the railroad bridges had been partially destroyed, were in his front, and there were no means of crossing them. The country was low, swampy, and considerable of it covered with brush, rendering it very difficult for military operations, and the insurgents had constructed strong intrenchments along the rivers and thought themselves secure. General Hale with his brigade was sent to the eastward, up the Bagbag River, and crossed in the face of fierce opposition at the Quingua ford, about 4 miles from Malolos; thence swinging down the right bank of that river he took the enemy's intrenchments in reverse, inflicting heavy losses. Wheaton, who now commanded a brigade of the division, as soon as Hale's descent had somewhat cleared his front, succeeded in crossing his troops over the railway bridge, after slight repair, and that portion of Calumpit south of the river of that name was lost to the enemy the following day. Lieutenant-General Luna commanded in person the insurgent troops north of the river and had collected a considerable force, estimated at 4,000 men, to oppose the crossing, while 3,000 were held at Baliuag, to the east. To his right as far as Haganoy strong detachments were maintained, and also to his left connecting with Baliuag. In the face of this opposition MacArthur's men effected the crossing on April 28, under the accurate concentrated fire of the guns of the Utah Light Artillery, commanded by Major Young. This fire drove back the enemy from the river bank and the Kansas men, swimming the rapid river, were enabled to secure boat transportation on the northern shore. Crossing with this and on the railroad bridge (of which, though a span had been dropped, the outer rails remained) a foothold was secured and the enemy was soon after driven northward up the railroad track for a distance of 2 miles.

General Lawton, having concentrated his force at Nozagaray and Angat, drove the enemy to the north and westward in a number of spirited engagements and was directed to proceed to Baliuag. A short time thereafter I was informed that 2,000 armed insurgents were about to march north from San Mateo, a place 8 miles northeast of Manila, under the command of General Pilar; that it would pass on a mountain road with the intention of gaining the flank of Lawton, who was directed to keep his scouts well out to the eastward from Nozagaray, which he did without discovering the expected hostile column which, to the number of 1,000, had passed farther to the right and entered the country to the northeast of Baliuag. The latter place, with large stores of rice and sugar, was captured in a spirited attack after slight opposition, the enemy retreating northward, while General Lawton, maintaining great activity to his right and front, felt along the east bank of the Rio Grande in the vicinity of San Luis to ascertain if the enemy was

present. He was detained at Baliuag to await the delivery of rations for his command by way of Malolos and to enable General MacArthur to secure an advanced point in a more open country and discover the whereabouts of the retreating enemy. On May 5 he was instructed as follows:

GENERAL LAWTON, *Baliuag*:

Can not determine definite movement until MacArthur gets in position and is prepared for further action. His advance is at San Fernando. In the meantime hold present positions, observing any movements of insurgents to the north and east of you. MacArthur is confident insurgents retired up railroad instead of passing northeastward.

On the same day the following telegram was sent to General MacArthur:

You will arrest your advance at San Fernando. It is impossible to ascertain route taken by insurgents, who were not expected to make a stand at San Fernando. It is believed they will take the road to Arayat, in the direction of San Isidro. They have strong intrenchments at first-named place. Report fully conditions and casualties as soon as practicable. We congratulate your troops.

Gunboats will soon start to seek entrance of Rio Grande, but we can not obtain any encouraging information. The river from Calumpit north is navigable; the mouth very difficult of access.

Lawton holds Maasin, Baliuag, and Quingua. Had quite a sharp engagement capturing first-named place. Insurgents attacked Ovenshine's line last evening; quickly repulsed. They have appeared on the lake with cascos and are very active.

On May 6 the following telegrams were sent, which show the situation as then understood:

Major KOBBE, *Third Artillery, Malolos*:

You will take command of all the troops on the railway between Calumpit and Marilao and so dispose them as to furnish the best protection to this line of communication. It is reported that a large force from the province of Morong is now moving to attack General Lawton's right by way of Nozagaray and Angat. It is possible that a portion of this force may appear at Santa Maria and attempt the destruction of the railroad in that vicinity. With General Lawton's force at Baliuag, a detachment at Quingua, and another at Bagbag Bridge, it would appear that only that portion of the line between Guiguinto and Marilao could be in danger. Bocaue and Bigaa should be made strong, having detachments well out toward Santa Maria. Acknowledge receipt.

MANILA, *May 6.*

General LAWTON, *Baliuag*:

Please report localities at which rice and sugar found and destroyed by your scouts were captured and what section of country your scouts are observing to-day.

MacArthur's success at Santo Tomas and San Fernando greater than at first reported. Enemy's loss was very severe, they leaving some 50 or 60 dead on the field and probably a couple of hundred rifles. \* \* \* Enemy evidently thinks you are supplied by Angat. The insurgent force at San Mateo was ready to move last night. It is fairly well armed, has fair amount ammunition and plenty of rice. Subsistence and ammunition transported by extra men. Watch well by scouting parties country to the east of you. The reported line of enemy's march is Norzagaray, Angat, San Rafael and Bustos. Also rumored that a force may strike at Santa Maria. General Hall will send out detachments to watch road by Novaliches. Acknowledge receipt.

From all the information I was able to obtain, and from the fact that the inhabitants of the Tarlac province and to the north of the same were not strongly in sympathy with the rebellion, I was convinced that Luna's immediate army, which had confronted MacArthur's

troops, would retire by Arayat, a strong natural position and strongly intrenched, into the Tagalo province of Nueva Ecija covering San Isidro, where abundant supplies could be obtained. As soon as MacArthur, by scouting to his front, had definitely ascertained and reported that this army had retreated on the line of railroad the situation was understood. There was one objective army on the line of railroad and another covering the country in front of Baliuag and to the east of the Rio Grande River. General Lawton was detained at Baliuag scouting to his north and east for several successive days, taking, in the meantime, Maasin, which he occupied with his advance, and capturing at various places a considerable quantity of the enemy's food supplies, which had been stored in improvised granaries. General MacArthur was directed to take Bacolor and Guagua to his left and rear, and thus establish a water base at Guagua, as the railroad was not in operation beyond Bagbag, south of Calumpit, and could not be placed in condition for use as far as San Fernando in less time than ten days, at least, and the bridges not for two or three weeks. Fortunately an engine and a few cars had been captured near San Fernando and could do service north of Calumpit after a slight repair of the railway track.

On May 7 Captain Grant, of the Utah Artillery, with two gunboats, was instructed to proceed from Manila to Guagua with supplies for MacArthur's troops, with whom he was directed to communicate at that point. He found the entrance of the Guagua River without difficulty, proceeded upstream until Sexmoan was reached, when he was fired upon by some 500 of the enemy strongly intrenched on a projecting point of the river bank. He passed the point without responding, swung into the bank immediately after passing it and opened a deadly fire, striking the insurgents in flank behind their breastworks, and quickly scattered those who were able to retire. He met no further opposition until Guagua was reached. Then he boldly ran along the city's wharves and cleared the place of the few armed insurgents present, who set fire to several buildings and retreated. Landing his men, he pursued the enemy a short distance, then assisted the citizens to extinguish the fires, and retired to his boats. The San Fernando troops not appearing, he returned to Manila on the following day. Before Captain Grant was directed to proceed to Guagua General MacArthur had signified his ability to communicate with him there, but subsequently, and after Grant was beyond recall, he reported that his situation was such with regard to the enemy that he did not consider the movement on Bacolor and Guagua prudent. At the first-named place there was quite a force of the enemy intrenched, and he did not think that his force at that time was sufficient to drive it off and hold the Guagua line while maintaining also his line of communication by rail. As soon as Captain Grant reported at Manila he was directed to find the mouth of the Rio Grande and pass up that stream to Calumpit, which place he successfully reached without marked incident on May 10. He was then directed to proceed up the river and clear the banks of insurgents as far as Candaba, which he accomplished, having a sharp engagement at San Luis. These boats could navigate this river as far up as Arayat, a point some 12 miles northeast of San Fernando, and could keep that line open without much difficulty. It was determined, therefore, to move MacArthur's troops on Luna's flank, as a further immediate advance up the railroad was impracticable because of the impossibility of then taking supplies by that route; and after

we had secured the Rio Grande, on May 11, I telegraphed MacArthur as follows:

No intention to make San Fernando base for future operations. You say supply by water at that point impracticable and reconstruction of railway necessary. Several days yet required to reach Calumpit with railway, and probably several more necessary to reach San Fernando. Calumpit will be the base and troops supplied, for a time at least, by cascoes to be sent there at once. There are 6 feet of water in Rio Grande to Candaba, and it is practicable for light-draft boats to reach San Isidro. Your first objective is Candaba, where gunboats can meet you; thence probably by river road north. One-half light battery and your convalescents, of which 100 South Dakota men should go up to-day, will be sent you, and probably 2 battalions Seventeenth Infantry. This will carry your enlisted force to about 4,000 and should be ample to drive any force enemy can place in your front. General Lawton has a more difficult problem. The enemy has a large force at San Ildefonso and San Miguel, and it is now reported that Generals Pilar and Geronimo have reached latter point. Should Lawton be pressed hard it may be necessary for you to give assistance by way of Candaba, otherwise he will join you on river near San Isidro. It is believed that gunboats, cascoes, and launches can supply you on river, and it will not be necessary for your train to carry very much supply. One battalion Seventeenth Infantry will probably be sent you tomorrow afternoon. You will necessarily need sufficient supplies on starting to take you to Candaba. There is great necessity for celerity of movement, and it is desired that it be inaugurated as soon as practicable.

To this dispatch the General replied that he would act on the instructions contained therein at once, but considered the directed movement a very delicate one and that conditions should be carefully weighed before it was attempted; that his position at San Fernando was satisfactory, and that he thought the troops should remain to recuperate until the railway could be repaired to that point; that he had about 3,800 men, 2,600 of whom were continually on the fighting line, and that he desired to exchange regiments which were with him for some in rear, which were comparatively fresh; that Luna was in his immediate front with 2,500 men and had 1,000 at Mexico, on the Candaba road, and that there were possibly 10,000, between him and the Baliuag country. MacArthur's troops were at this time pretty well worn out, and a great many of them were on sick report. They had been fighting almost continually for three months in a tropical climate and over a swampy country through which wagon transportation could not be moved. There were no fresh troops to send to San Fernando. The withdrawal of the Spanish forces in Mindanao and the Sulu Archipelago, where troops must be placed, the necessity of sending others to Cebu and to increase those in Negros—all of which was imperatively demanded at this time—rendered conditions somewhat critical. I had also been directed to return the volunteer organizations to the United States without delay, and in response I cabled, on May 11, to Washington as follows:

Volunteer organizations first to return now at Negros and 45 miles from Manila at front. Expected that transports now arriving will take returning volunteers. Volunteers understand they will begin to leave for United States latter part of month. Know importance of their presence here at this time, and accept sacrifices which United States interests make imperative. *Hancock* now entering harbor. Transports returning this week carry sick and wounded men. *Pennsylvania* and *St. Paul* not needed longer in southern waters where they have been retained, hence dispatched. Transports *Nelson* and *Cleveland* brought freight; return without cargo.

This I did after consulting with some of the most prominent volunteer officers, pointing out to them the delicate situation we were in, and they responded that the volunteers would willingly remain until it was cleared up or until more of the regular regiments then en route could arrive. We must now either advance at the north or retreat to



Calumpit, holding the railroad in our rear and await reenforcements with which to replace all volunteers, having in the meantime a large insurgent force in our immediate front and a continually increasing one south of Manila, which had become annoying and which now numbered 5,000 men. It was therefore determined to direct MacArthur to hold on to San Fernando with what force he had, operating against and holding Luna as best he could; to send a detached column up the Rio Grande, and to permit Lawton to advance. The Ninth and Seventeenth Infantry had reported by April 23, and the Twenty-first arrived on May 11. This gave us opportunity to forward more of the Manila troops. Major Kobbe, Third Artillery, then at Malolos, was directed to Calumpit, to which point 1 battalion of the Ninth Infantry, 3 of the Seventeenth, and Light Battery E, First Artillery were sent. He was ordered to proceed up the river with this force to Candaba, attended by the gunboats which were to haul cascoes loaded with 20,000 extra rations. This command left Calumpit May 16 and reached Candaba the following day, having encountered little opposition.

On May 13 General Lawton reported from Baliuag that a commission sent by General Aguinaldo had presented itself and desired to be sent to Manila to confer with the United States Peace Commission. He was instructed as follows:

HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS.

*Manila, P. I. May 13, 1899.*

Maj. Gen. H. W. LAWTON, U. S. V.,

*Commanding United States Forces, Baliuag, Luzon.*

GENERAL: The commanding general of the United States forces in the Philippines directs me to inform you that you will reply to the communication addressed to you by Gen. Gregorio del Pilar, of the Philippine forces at your front, which communication was delivered to me by Captain Sewell, of your staff, and is herewith returned, that should General Aguinaldo desire to send representative men to confer with the United States commission now in session in this city, you are at liberty and will pass such body through your lines, promising them safe conduct to and from Manila and ample protection during their stay here. Railway transportation between Malolos and Manila is freely accorded.

Very respectfully,

THOMAS H. BARRY,

*Assistant Adjutant-General.*

This commission was received by me upon arrival and made known its mission, which was to take preliminary action toward the negotiation of terms of peace. It was quickly informed that cessation of hostilities depended entirely upon surrender of arms and the disbandment of their military organizations. Expressing then the desire to confer with the peace commission, it was afforded the opportunity. For lack of time I was not present at any of these conferences, which extended through two days. The commission was then sent north through our lines, having accomplished nothing in so far as my knowledge extended.

On May 14 General Lawton was given permission to advance on San Miguel as his objective. Leaving a battalion of troops at Baliuag he marched rapidly on Ildefonso, where he routed a strong force of the enemy by a dexterous flank movement to his right, and proceeding on San Miguel, where the enemy was strongly intrenched, accomplished the same result by similar tactics. On the evening of May 15 he was instructed as follows:

General LAWTON, *San Miguel*:

Your next objective is San Isidro, unless your progress so much impeded by enemy that your subsistence likely to give out, in which event you should seek road to Rio Grande and try to communicate with Kobbe's column and gunboats, where

you will find rations. Kobbe's column will be pushed up as rapidly as possible, but can not tell how far gunboats can ascend river. Believe they can ascend to Arayat, where enemy have heavy intrenchments. Watch well your right. It is reported that a large number of insurgents are at Biacnabato. Report not verified. No change in MacArthur's front. Still confronted by about 5,000 men.

Marching out of San Miguel the next morning, where he left a containing force, he struck the insurgents, whom he drove to the right and left, and bewildering them by his rapidity of movement, which rendered them unable to concentrate, he seized San Isidro, the third insurgent capital, on May 17, General Aguinaldo and cabinet, with troops, having retired to Cabanatuan, 14 miles to the north, on road leading into the mountains of northern Luzon. Late in the evening of that day General MacArthur reported as follows:

My information is not absolutely certain, but everything indicates that insurgents from my front and right retired along the railroad. A reconnoitering party reached the 67-kilometer post, and at that point discovered stragglers apparently in rear of a column moving in their front. We went out the road through Mexico to Santa Ana and found both points vacated, and was informed by natives that insurgent soldiers had gone to Angeles. Up to late hour this afternoon the line between here and Bacolor was still occupied by insurgents. To-morrow I hope to get definite information.

The following day it was ascertained that Luna had retreated on Tarlac with about 3,000 men, leaving a considerable force under General Mascardo on General MacArthur's left, with headquarters at Santa Rita or in that vicinity. It was believed that a considerable insurgent force would be found at the strong defensive position of Arayat, and to that point both General Lawton and Major Kobbe were sent, General Lawton being instructed at midnight May 17 as follows:

General LAWTON, *San Isidro*:

Your next objective, Arayat down Rio Grande, after troops have rested and peace restored at San Isidro. Arayat reported to be strongly intrenched. Kobbe and gunboats started up river this morning at 6. This early announcement, fearing telegraphic communication may be lost.

On the following morning the following information was sent him:

General LAWTON, *San Isidro*:

General MacArthur reports that from information almost positive he believes that 1,000 of Luna's men have retired to Florida Blanca and Porac, which are to his left; that Luna with 3,000 armed men is at Tarlac. He states that all his information is to the effect that Luna has not sent assistance to the east and is not likely to do so, as there is no cooperation between him and the force on the San Isidro line. He states that Major Bell is on reconnaissance and now at or near Angeles; that he will not probably hear from him until late this evening. MacArthur's information was obtained from inhabitants of the country and an Englishman, Mr. Sims, who left Tarlac last evening and has just entered his lines.

Should this information prove true, all of the force sent by you to San Miguel this morning should continue its journey to Baliuag. Troops at San Miguel can not be supplied during the season of heavy rains.

Lawton, descending the Rio Grande, and Kobbe, ascending the stream, struck the place on the same hour of the day; found only a small force there, which quickly retreated. It was now determined to operate on General Luna's left flank, Lawton, reenforced by Kobbe, to take the road to Tarlac, when it was ascertained that General Luna had removed his headquarters to Bayambang, only a few miles north of Dagupan, and that his troops were retiring north of Tarlac. The railway facilities which the insurgents possessed rendered a rapid retreat on their part very easy.

The rainy season had now come and the volunteer organizations

must be hastened homeward, and should a column be sent to Tarlac the enemy would retire, leaving us a destroyed or badly damaged railroad without the means to operate it, and we were seriously crippled for lack of wagon transportation. Our troops once at Tarlac could not be supplied, and all were needed at other points until we could consummate the difficult feat of exchanging the volunteers for organizations of the regular establishment. We must keep what we had gained, and could do that by establishing a line to the front, extending from San Fernando on the left to Baliuag on the right, from which it would be easy to resume operations. General Lawton was recalled, a sufficient force placed at Candaba, San Luis, Calumpit, and Baliuag to hold the country in rear, and steps were taken to return and ship the volunteers as rapidly as circumstances would permit. But the condition of General MacArthur's troops was not improving. The volunteers had again become very restless and desired to depart. On June 2 the surgeon of one of these regiments reported that of 873 officers and enlisted men 30 per cent were in the Manila hospitals sick and wounded, 30 per cent were sick at San Fernando, "and of the remainder there are not 8 men in each company who have the strength to endure one day's march." In respect to this report the chief surgeon of MacArthur's division remarked that he had made a careful examination of the men and that of the whole number in the regiment then present only 96 were fit for duty. The division commander remarked on May 22 and June 5, with regard to these and similar reports, as follows:

The duty required of the men of this brigade, in common with the other commands of the division, has been severe and continuous since the 4th of February of the current year. The sun, field rations, physical exertion, and the abnormal excitement arising from almost constant exposure to fire action have operated to bring about a general enervation from which the men do not seem to readily recover, although the present conditions are very favorable. The four regiments now present have an enlisted strength of 3,701. Of these 1,003 are sick and wounded, leaving an effective of 2,698, which, after deducting necessary details for special duty, yields only 2,307 for the firing line, many of whom could not march 5 miles under the conditions which obtained from Malolos to this place.

The physical condition of men in the organizations which originally commenced the campaign in this division and are still at the front has during the past month been a matter of great concern. The difficulties are progressive and without any apparent fluctuation are growing worse from day to day.

For four months these men have been continually under arms night and day, exposed in a relaxing climate to a scorching sun, almost as destructive and much harder to bear than the enemy's fire, until apparently the severe, unrelenting, and almost unexampled strain has told upon whole organizations to such an extent that they are now completely worn out and broken in health.

Later the chief surgeon of the department stated, when commenting on the conditions presented:

I can add nothing to the careful and valuable report made by the chief surgeon of the division. The data must be accurate and the conclusion unimpeachable. These men and the men of the companion regiments have been overworked, are broken down, and will not be fit for duty as a regiment within any reasonable period. It is difficult to explain, except at a length that would be unacceptable, how these physiological factors operate, but the fact remains, and here is a striking illustration of it, that commands do become worn out precisely as the fifth indorsement states.

The weakened hearts and quickened pulses indicate a condition akin to that of typhoid fever convalescence, and restoration to physical efficiency will not take place in this climate within any reasonable period, and meanwhile such men display no vital resistance to acute disease.

This feature of the "soldier's irritable heart" was a condition well recognized during the severe strain of the civil war, but with these men there is the additional disability of general physical prostration.

These reports I forwarded to Washington on June 23, with the following indorsement:

Respectfully forwarded to the Adjutant-General of the Army. I have inquired carefully into the condition of health of these organizations, which is now improving. The cause of sickness may be attributed, I believe, to the great strain attendant upon constant fighting, with lack of needed rest, neglect of person during this period, because of which a peculiar disease, designated itch, was developed, and indiscriminate consumption of fruit, which was abundant in the country over which troops passed and are stationed, and the use of water not potable. The South Dakota regiment was brought to Manila two weeks ago and is rapidly improving. The Kansas regiment is en route and the Montana regiment will soon follow. I think, like the Oregon regiment, when orders to take passage to the United States are issued, that both the Montana and South Dakota troops will recover with astonishing rapidity. There are few cases of serious illness. San Fernando, the present station of these troops, is considered somewhat as a health resort by the Filipinos, and there seems to be no good reason why men should not improve as rapidly there as in Manila, except that there is in the vicinity of San Fernando a very active enemy, which must be constantly watched, necessitating a larger percentage of men on outpost duty than at some other points.

The headquarters and 10 companies of the Third Infantry, with a platoon of artillery and a mounted troop of the Fourth Cavalry, took station at Baliuag, and headquarters and 2 battalions of the Twenty-second Infantry were placed at Candaba and San Luis, to be assisted, in case of attack, by one of the gunboats which was left in the Rio Grande, and which was to be used also in forwarding supplies from Calumpit. The rains coming on and heavy storms having been predicted for that section of country, the troops at San Miguel, whose rations were about exhausted, were ordered to fall back at once on Baliuag. They were attacked while en route at Ildefonso and Maasin, and were obliged to halt twice and drive off the enemy, which they did effectively, but the enemy published and celebrated for a long time their signal victories at Ildefonso, San Miguel, and San Isidro.

During these Luzon military operations affairs in the central islands became more or less critical, demanded careful supervision, and occasionally an accession of troops. As early as February 3 General Miller had reported from Iloilo that the inhabitants of Negros and Cebu realized that they could not successfully establish an independent government and wished the United States to exercise control. After the capture of Iloilo the navy visited the city of Cebu and took quiet possession of the place—the commanding officer of the force assuming direction of the business of the captain of the port and collector of customs and entering into an arrangement with the more prominent citizens to permit them to conduct their own internal affairs. This was reported to me with the request that troops be sent to that point to assist the small navy force there in case of necessity. On receipt of this information, and on February 26, the following order was issued and executed:

A battalion of the Twenty-third U. S. Infantry, Maj. G. A. Goodale commanding, will proceed at once by transport *Pennsylvania* to the port of Cebu, Island of Cebu, for the purpose of furnishing immediate protection to the inhabitants and property of that locality. The battalion will be supplied with rations for thirty days and 300 rounds of ammunition per man.

This did not relieve the officers of the Navy of the administration of civil affairs, the management of which it was desirable to turn over to the Army, and they continued in control awaiting our action to take formal possession. Upon General Miller's report that he had held a conference with some of the principal citizens of the island of Negros

and that they had raised the United States flag, wished a few troops to protect them from the Tagalos, whom they had declined to receive in the island, and desired to be sent to Manila to present conditions and solicit aid, instructions were given for a compliance with their request, whereupon a committee of four gentlemen arrived here on the 21st of February. Several conferences followed. They had, they said, established a crude temporary government, appointing a governor who was one of their number; that if permitted to arm a small battalion of natives to be placed under the direction of the United States officers and to receive the assistance of a few United States troops, they were confident that the quiet of the island could be maintained and the Tagalo element successfully restrained. A great deal of conversation, consuming portions of several successive days, followed. They were eager to be informed of the purposes of the United States, and were informed that a military government with general supervision of their affairs must be erected and maintained until Congressional legislation prescribed the nature and measure of control which would be imposed; that no assurances could be given them except that the civil government to be finally established would be republican in character and would give them as much local representation as the intelligence and animus of the people permitted and as was in harmony with their own and the interests of the United States.

The troops asked for were provided, and the committee was advised to return, call their representative people together, and, acting with and under the advice of the military governor whom I would send, to formulate and submit a plan of government for the administration of strictly internal affairs, which upon receipt I would forward for the consideration of the United States supreme authorities. I selected for their governor Colonel Smith, of the First California Volunteers, now brigadier-general of volunteers, an excellent soldier and a lawyer of experience. He had several conferences with them and won their confidence and esteem, when they expressed a strong desire to have him and a few troops accompany them to Negros, which was favorably acted upon.

To meet the situation which was rapidly developing in Panay, Negros, and Cebu the following orders were issued:

GENERAL ORDERS, } HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS.  
No. 8. } *Manila, P. I., March 1, 1899.*

1. A military district, comprising the islands of Panay, Negros, and Cebu and such other Visayan Islands as may be hereafter designated, to be known as the Visayan military district, is hereby established and placed under the supervision of Brig. Gen. Marcus P. Miller, U. S. A., commanding First Separate Brigade, Eighth Army Corps, with headquarters at Iloilo. The troops already sent to Cebu and those about to embark for Negros will furnish all possible protection to those islands, maintaining peace and order while administering the civil affairs throughout the islands on lines prescribed by the military government.

2. Col. James F. Smith, First Regiment California Volunteer Infantry, is hereby detached from his regiment, and will proceed by U. S. transport *St. Paul* with the troops mentioned in paragraph 5 of this order to Bacolod, Negros, via Iloilo, reporting upon his arrival at the last-named point to Brig. Gen. M. P. Miller, U. S. A., commanding the Visayan military district, the specific instructions which he has received from these headquarters, and there to receive such additional instructions as General Miller may wish to give in furtherance of their execution.

3. Colonel Smith is assigned to the command of the subdistrict of the island of Negros, and will establish his headquarters at the capital of that island, furnishing protection to the inhabitants thereof, whom he will assist to develop civil administration over the affairs of that island in accordance with the specific instructions already received from these headquarters.

4. Col. James F. Smith, First California Volunteer Infantry, commanding sub-district of the island of Negros, will upon his arrival there, as directed in paragraph 2 of this order, proceed to organize from the natives of the island a civil police of 200 men, placing the organization under military discipline and retaining entire supervision of it. The men will be employed by the Quartermaster's Department and will be reported monthly on the quartermaster's form of persons and articles hired, on which will be stated their nativity and age, in addition to periods of service. Their compensation will be fixed by the scale of wages prevailing on the island, and the funds to pay for the services will be furnished from these headquarters. Each employee will receive a fixed ration, in addition to his money compensation, which will correspond to the native ration issued in this city. The Ordnance Department will turn over the necessary ordnance to arm and equip these men.

5. The Third Battalion of the First California Volunteer Infantry will embark at once on the U. S. transport *St. Paul*, prepared to proceed to Bacolod, island of Negros. It will be provided with rations for thirty days and 150,000 rounds of rifle ammunition. The commanding officer of this battalion (Maj. H. T. Sime, First California Volunteer Infantry) will report to Col. James F. Smith, of that regiment, for more specific instructions.

\* \* \* \* \*

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

General Smith, with the troops and commissioners, left Manila on March 2, and on arrival at Bacolod, the capital of Negros, he took station and successfully organized a battalion of 200 natives, which has been loyal and has performed good service for the United States to the present date. But certain of the inhabitants of Tagalo nativity and others who were disaffected, aided by their friends in Panay, both with advice and war material, and assisted by the robber bands of the mountains, created disturbances in the western, central, and southern portions of the island which culminated in active hostilities. Smith, with his troops, went in pursuit of their concentrated forces wherever they chanced to be and successfully routed them, but it was impossible to cover the country and prevent reconcentration. He thereupon called for another battalion of his regiment, which was sent him on March 22. With this increased command he visited all occupied points of the island, and especially held in check the people of Dumaguete and Bais, on the southeast coast, where the insurgent element for a time appeared to be in the ascendancy.

This force not proving sufficient to place troops at all necessary points, a call was made for the third battalion of the regiment, which was forwarded on May 21. In the meantime the population of occidental and oriental Negros chose delegates to represent their several political districts in a convention at Bacolod, where, after some two months labor under the direction and protection of General Smith, a constitution was prepared for submission to the President of the United States. This document, having been received here, was forwarded to Washington about July 20 with appropriate remark, and served as a basis for the following order:

GENERAL ORDERS, }  
No. 30. }

OFFICE U. S. MILITARY GOVERNOR IN THE  
PHILIPPINE ISLANDS,  
*Manila, P. I., July 22, 1899.*

The people of Negros, through duly accredited representatives, having freely acknowledged the sovereignty of the United States over that island, and having developed and forwarded to His Excellency the President of the United States, for the consideration and deliberation of Congress, a proposed constitution or body of fundamental laws, upon which they seek to have established for themselves a republican form of government, it is deemed essential, pending final

action by the President and the Congress of the United States thereon, and while military supervision of the affairs of the island must be maintained, that a provisional government to administer its civil matters be instituted, under which the people may enjoy the largest measure of civil liberty compatible with prevailing conditions and which shall conform to their desires as expressed in their proposed constitution.

It is therefore ordered that a government for that island be established as speedily as practicable in plan and scope as indicated in the following enumerated provisions—the same to remain in force until modified by constituted authority.

I. The government of the island of Negros shall consist of a military governor, appointed by the United States military governor of the Philippines, who shall command the United States troops stationed therein, a civil governor and advisory council elected by the people. The military governor shall appoint secretaries of the treasury, interior, agriculture, public instruction, an attorney-general, and an auditor, who shall act under his immediate instructions. The seat of government shall be established at Bacolod.

II. The military governor shall exercise the supreme executive power. He shall see that the laws are executed; shall appoint to office and fill all vacancies in office not herein otherwise provided for, and may, with the approval of the military governor of the Philippines, remove any officer from office. He shall perform such other functions as the duties of his position may require.

III. The civil governor: There shall be elected by the people a civil governor, who shall advise the military governor on all public civil questions, and who shall preside over the advisory council. He shall countersign all grants and commissions of a civil nature which are executed by the military governor; attend every session of the advisory council, and in case of a tie vote in said body he shall cast the deciding vote; shall receive all bills and resolutions of the advisory council; shall attest the official acts of the military governor in so far as strictly civil matters are concerned; shall affix the great seal with his own attestation to all civil commissions, pardons, and public instruments to which the official signature of the military governor is required, and perform such other duties as may be duly conferred upon him.

IV. The advisory council: An advisory council, to consist of 8 members, shall be elected by the people, and shall be selected within the following territorial limits: One from the island of Negros at large; three from Oriental Negros, and four from Occidental Negros. The times and places of electing these members, after the first election, shall be fixed by the advisory council on the approval of the military governor.

Occidental Negros shall have four members of the advisory council, representing four districts, constituted and designated as follows:

The cities and pueblos of San Carlos, Calatrava, Escalante, Sagay, Cadiz, Manapla, Victorias, and Saravia shall compose the first district.

The cities and pueblos of Estaquio Lopez, Guimbalaon, Silay, Talisay, Lacson, Granada, Murcia, Bacolod, Sumag, Kansilayan, and Abuanan shall compose the second district.

The cities and pueblos of Bago, Maa, Pulupandan, Valladolid, San Enrique, La Carlota, Pontevedra, La Castellana, and Magallon shall compose the third district.

The cities and pueblos of Ginigaran, Binalbagan, Soledad, Isabela, Jimamaylan, Suay, Kabankalan, Ilog, Dankalan, Guiljugan, Kauayan, and Isiu shall compose the fourth district.

Oriental Negros shall have three members of the advisory council, representing three districts constituted and designated as follows:

The cities and pueblos of Dumaguete, Valencia, Bakon, Dauin, Zamboanguita, Siaton, Tolon, and Bayauan shall compose the First district.

The cities and pueblos of Sibulan, Ayukitan, Amblan, Tanjay, Bais, Manjuyod, Ayungon, Zayaran, Jimalalud, and Guijulngan shall compose the Second district.

The cities and pueblos of Siquijor, Kamoan, Maria, Lasy, and San Juan shall compose the Third district.

V. Elections: The times and places of holding elections for the civil governor and for members of the advisory council shall be fixed by the military governor of the island.

VI. Qualifications of voters: In order to be qualified to vote at any election a person shall (1) be a male citizen of the island of Negros; (2) he shall have attained the age of 21 years; (3) he shall be able to speak, read, and write understandingly the English, Spanish, or Visayan language, or he must be the owner of real property worth \$500 or pay a rental on real property of the value of \$1,000; (4) he must have resided in the island not less than one year preceding and in the district in

which he offers to register as a voter not less than three months immediately preceding the time when he offers to register; (5) he shall, prior to each regular election, during the time prescribed by law for registration, have caused his name to be entered on the register of voters for his district; and (6) prior to such registration he shall have paid all taxes due by him to the government: *Provided*, That no insane person, or deaf-mute who can not read or write, shall be allowed to register or vote.

The military governor shall make suitable provisions for the registration of voters, for the preparation of ballots, and for the method of casting votes at the first election.

VII. The military governor of the island shall have the right to veto all bills or resolutions adopted by the advisory council, and his veto shall be final if not disapproved by the military governor of the Philippines.

VIII. The advisory council shall discharge all the ordinary duties of a legislature.

IX. The secretary of the treasury: It shall be the duty of the secretary of the treasury to receive and safely keep all the public funds not confided by law to the custody of other officers, to expend money only upon warrants drawn by the auditor attached to the vouchers upon which the warrants are drawn, to keep a careful account of all moneys received and expended by law, and once a month to report to the auditor an itemized statement of the warrants paid and the money balances on hand in the treasury. He shall perform such other duties as may be prescribed by law.

X. The secretary of the interior: It shall be the duty of the secretary of the interior to supervise public lands, forests, mines, surveys, public works, provide for the taking of the census, and to take appropriate measures for safeguarding the public health. He shall perform such other duties as may be duly committed to his charge.

XI. The secretary of agriculture: It shall be the duty of the secretary of agriculture to study the agricultural resources of the island with a view to increasing the wealth derived therefrom. He shall give special attention to the means of combating diseases or pests which attack animals or crops, to the study and recommendation of improved methods of cultivation, to the introduction of new products suited to the climate and soil, and shall perform such other duties as may be legally prescribed.

XII. The secretary of public instruction shall have charge of the establishment and maintenance of free public schools for primary instruction throughout the island, and of such other schools of higher instruction as may be required or suited to the needs and advancement of the people. He shall have general supervision of all matters relating to public instruction.

XIII. The attorney-general: It shall be the duty of the attorney-general to prosecute and defend all causes to which the Island of Negros or any one of its officers is a party, and to give legal advice to any officer of the civil departments whenever the same shall be required of him in his official capacity. He shall perform such other duties as may be prescribed by law.

XIV. The auditor: It shall be the duty of the auditor to report to the military governor, whenever so required, an itemized statement of the expenses of the government for past periods, and an itemized estimate of all expenses of the government for the ensuing fiscal year, accompanied by a report of the amount of money on hand in the treasury to meet such expenses, and the amount of revenue necessary to be raised for government purposes by taxation or otherwise. He shall also report such scheme as to him may seem proper to secure economy in the public service. He shall draw warrants on the secretary of the treasury for all sums of public money required and estimated for by officers of the government, after having satisfied himself of the legality and correctness of the proposed expenditures which the money asked for is to meet. He shall perform such other duties as shall be legally imposed.

XV. Municipal governments: Municipal governments shall be organized as soon as possible under the supervision of the military and civil governors and the advisory council. They shall have the usual powers and perform the usual duties of such bodies, subject to the direction of the military governor.

XVI. Officers of cities, towns, and municipalities in office at the time of the promulgation of this order shall continue to act in their official capacity until successors are elected, selected, or appointed and qualified.

XVII. The judiciary: The judicial power shall be vested in three judges, who shall be appointed by the military governor of the island. They shall severally hold court at such times and places as may be determined by the advisory council and the military and civil governors, and shall sit in banc, at a time and place to be fixed by that authority, in order to hear appeals. Their modes of procedure,



terms of office, and compensation shall be fixed by the advisory council, on the approval of the military governor. Appeal shall lie from the court in banc to the supreme court, at Manila, in all civil cases where the amount involved exceeds \$500 (Mexican), and in all criminal cases amounting to felony.

XVIII. Inferior courts shall be provided for and established under the advice and recommendation of the civil governor and advisory council.

XIX. The jurisdiction of these courts shall not extend to nor include crimes and offenses committed by either citizens or persons sojourning within the Island of Negros which are prejudicial to military administration and discipline, except by authority specially conferred by the military governor. Jurisdiction to try and award punishment in these classes of cases remains vested in provost courts, courts-martial, or military commissions.

XX. All cases and actions pending at the time of the promulgation of this order are hereby transferred for trial and determination to the courts of appropriate jurisdiction provided for in the preceding paragraphs.

XXI. The style of all process shall be "The Judicial Department of Negros," and all prosecutions shall be carried on in the name of and by the authority of said judicial department.

XXII. Education: Free public schools shall be established throughout the populous districts of the island, in which the English language shall be taught, and this subject will receive the careful consideration of the advisory council.

XXIII. Revenue and taxation: The advisory council, presided over by the civil governor, is authorized to devise and adopt a system of taxation uniform in operation in order to raise revenue for the support of government and for all other necessary purposes. The burden of government must be equally and equitably distributed among the people.

XXIV. The military authorities will collect and receive the customs revenue, if any, will control postal matters and Philippine interisland trade and commerce.

XXV. The military governor shall, subject to the approval of the military governor of the Philippines, determine all questions not herein specifically mentioned and which do not come under the jurisdiction of the advisory council.

XXVI. The compensation of civil officers shall be as follows:

	Mexican currency.
Civil governor .....	per annum .. \$6,000.00
Secretary of the treasury .....	do .... 3,000.00
Secretary of the interior .....	do .... 3,000.00
Secretary of agriculture .....	do .... 3,000.00
Secretary of public instruction .....	do .... 3,000.00
Attorney-general .....	do .... 3,000.00
Auditor .....	do .... 3,000.00
Members of advisory council, for each day while in session .....	per day .. 8.00

And 50 cents for each kilometer of distances traveled between place of residence and place of meeting and return. The period of the regular session of the advisory council shall not exceed one hundred and twenty days during the year, but in case of necessity the civil governor, with the approval of the military governor, shall call extra sessions for such periods of time as shall be deemed proper and shall be designated in the call. Per diem and mileage at the rate fixed above shall be allowed the members of the advisory council for any extra session they may attend.

XXVII. The military governor of the island is empowered to take all necessary action to put in execution the foregoing directory provisions. Instructions prescribing methods and date of election of officers who are to be selected by ballot will be issued, and the election will be held at as early a day as practicable.

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

In the new field of politics, upon which these people entered with alacrity, there were many disagreements—the result of personal ambitions probably, as well as of antagonistic honest opinion, and complaints were heard and opposition was frequently offered to the civil officers of districts to whom they had intrusted the preservation of law and order. Those exercising the civil power, acquainted only with Spanish methods, sought to organize a military police force which was made responsible only to its founder and which executed his orders in a very arbitrary and oftentimes cruel manner. It was unreliable, and a portion of it served the Tagalo and robber element,

to which many deserted. Through all the turmoils and difficulties experienced by the advocates for United States Government General Smith retained the confidence of all factions and assisted to heal their differences. They desired an election of such classes of officers as might be permitted to direct local affairs under United States military supervision, and an opportunity to manifest their fitness for an abridged form of government has been given them. What the result will be can not as yet be forecast with any certainty, but it is to be hoped that they will meet the expectations of those desiring their ultimate welfare, both for the benefits they will receive thereby and also for the sake of example to the inhabitants of the other Philippine Islands, who are now distrustful of United States intentions and its expressed good will toward them. By this latter and very large class of Filipinos affairs in Negros are closely watched, and a successfully conducted government there—one which will protect individual rights and give a fair measure of individual liberty—will be a most important factor in the pacification labors of these islands.

The United States troops in Negros have performed severe service. The Californians have been replaced by the Sixth Infantry, which, like its predecessors, has responded promptly to every demand and shown itself well able to master the military situation. General Smith still exercises supervision, and to his unremitting efforts, tact, and ability is due the fact that serious obstacles have been surmounted. Robber bands have always existed in the mountains of Negros, and their recent accessions from without encouraged them to assume a defiant front, but the heavy chastisements which they have received at the hands of our troops has well-nigh destroyed them.

Arrangements were made early to take over the civil administration of affairs of the city of Cebu. Lieutenant-Colonel Hamer, of the Idaho Volunteers, a lawyer by profession, who had filled the position of judge of one of the Manila provost courts with great credit, was selected for that duty, and on March 14 the following order was issued:

GENERAL ORDERS, )      HDQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
No. 13.                        )      Manila, P. I., March 14, 1899.

1. The island of Cebu will constitute a subdistrict of the Visayan military district, with headquarters at the city of Cebu. Lieut. Col. Thomas R. Hamer, First Idaho Volunteer Infantry, is assigned to the command of the same and will proceed to that city by way of Iloilo, where he will report to the commanding general of the district for any directions the latter may desire to convey to enable him to execute the specific instructions which he will receive from these headquarters to guide him in the performance of his duties. Colonel Hamer will report to the commanding general of the department for conference and instructions and will take passage on transport *Indiana*, which has been directed to proceed to Iloilo as soon as necessary repairs to steamer can be made.

By command of Major-General Otis:

THOMAS H. BARRY,  
Assistant Adjutant-General.

The battalion of the Twenty-third Infantry which was sent to Cebu the latter part of February had not taken any action in civil matters, but had preserved order in the community. The citizens had looked after their own local interests, and officers of the Navy had continued to conduct harbor and customs affairs, from which they were now relieved by army officers detailed to perform the duties of those positions. Shortly thereafter the dissensions between the friendly-disposed and hostile-intentioned natives became bitter and culminated in the assassination of one of the most prominent citizens simply because he advocated United States protection, and attempts were

made upon the lives of a number of others who favored United States occupation. The towns within a short radius of distance began to show the first war paint of rebellion, and the mountain peaks behind Cebu exhibited preparations for defense, or possibly attack, in newly constructed rifle entrenchments. Contraband trade along the coast of the island was active and gave the small gunboats manned by the natives considerable exciting occupation. Colonel Hamer called for additional force, and a battalion of the Tennessee regiment was sent him from Iloilo. Shortly before incursions into the interior were made by detached companies of the Twenty-third Infantry, at first without encountering much opposition, but afterwards by very decided opposition. It was apparent that the rebellion was growing stronger each succeeding day, and that increased force would be required to cope with it. The Cebu people possess great numbers of small sailing crafts, with which they are accustomed to conduct trade between their own and neighboring islands. With these they skirted other coasts and robbed the inhabitants. They impoverished and reduced to hunger the natives of the island of Bohol, and with the aid of the Tagalos and other emissaries introduced arms and ammunition among their own people. On April 6 Colonel Hamer wrote:

Our present occupancy includes only the old town of Cebu, while the insurgents under Francisco Llamas occupy the adjoining town of San Nicholas, which, in fact, is a part of the city of Cebu. This man Llamas is an active and cunning fellow whom the natives fear to the extent of conceding to him supernatural power. I may say in this connection that the president seems to hold like views with the rest of the natives on this subject. The vice-president and treasurer deny that they fear him and say that if we had sufficient force to inspire the natives with confidence in our ability to protect them Llamas's standard would be deserted, as he is deeply hated as well as feared by the people, and they only await a safe opportunity to throw off his yoke. After carefully looking over the ground I have come to the conclusion that now is the time for us to perfect our occupation of the island. We can accomplish it now with the display of force, and, in my opinion, without the loss of a man. \* \* \* The southern coast line of the island contains all the towns of any consequence. If you can send me two more battalions, I will undertake to occupy these towns and establish in each a government which will acknowledge the supremacy of the United States, and this, too, without the loss of a single man.

But there were no troops available, for Luzon demanded every armed man. We permitted Cebu to drift and foment opposition; careful to hold securely its principal city, an important trading point and one of the open ports of the Philippines. The insurgent leaders organized their forces as best they could, without much interruption on our part, until in their conceit they commenced to assemble a force 4 miles out of the city and on the overlooking mountains, with which to drive us off at the opportune time. It grew to 1,500 and then to 2,000, having several pieces of artillery in position and rifles and ammunition in considerable quantities. Its positions were believed to be impregnable, and now as I write I learn that Colonel Snyder, of the Nineteenth Infantry, who a short time since was sent there with a portion of his regiment to relieve the Tennessee battalion—having collected all troops at hand, consisting of that contingent of his own regiment present, two companies of the Sixth Infantry sent by General Hughes from Iloilo, the Twenty-third Infantry battalion, and the Tennessee Volunteers, who chanced that way on their homeward voyage and who offered their services—has cleared the neighboring mountains of all insurgents, excepting those who now lie buried there, and has gathered in their weapons of war.

The better class of the population of the island of Cebu greatly desire stable government, and this they know they can not obtain without American supremacy and protection. When the Tagalo is driven out and the ignorant element which now cries for independence, having no conception of the meaning of the term, is forced to betake itself to legitimate occupation instead of robbery, the island will be easily controlled, and at present it would appear that the time required to bring about that desirable condition of things would not extend far into the future.

About the middle of April I was requested by the Spanish authorities to relieve the troops of Spain in Mindanao and the Sulu Archipelago. In the group of islands last named matters were represented from Singapore and other points as being in a very unsatisfactory state, and it was asserted that the Sultan and his *datos* were securing large supplies of arms and ammunition from the Asiatic and neighboring coasts. The inhabitants (Moros) had always given Spain trouble. They had always manifested toward Spain a feeling of subdued hostility when not actually at war with her, and she had been able to impose only a recognition of very much abridged sovereignty. The Spanish acting governor-general (General Rios), who for a long time had supervised Spanish affairs in the south, informed me that he had never succeeded in stopping there the trade in arms, and as for commerce, it could never be placed under proper restrictions. We felt therefore considerable hesitancy in dispatching to the archipelago the limited force which then could be sent from Manila, apprehending more or less difficulty in securely holding necessary positions should we garrison them. All the Spanish troops which were formerly stationed along the coast of the island of Mindanao had been concentrated at Zamboanga, its chief city. The Tagalos had taken possession of the northern and northeastern coast and, with their confederates, the country in the vicinity of the above-named place.

In March the Spanish authorities advertised for public sale at the naval station of Isabella, on Basilan Island, a short distance south of Zamboanga, 13 of their gunboats which had been formerly used on the island coasts. These boats were purchased by a syndicate composed of private individuals, with the understanding that it would deliver them to the United States authorities in the harbor of Manila.

The agent of the syndicate, who after purchasing was about to leave for Isabella to receive delivery of the boats and transport them north, was informed that if he could secure the armament belonging to the vessels the United States would receive it from him at cost price. Having been promised protection by the United States Navy while en route with the vessels to Manila, he sailed for Isabella by one of the coasting merchant vessels, taking with him crews for such of the boats as were serviceable, and received them there from the Spanish authorities with their armaments, which he bought under the agreement above stated. He steamed out of Isabella Harbor, and to protect him on his voyage, awaited near Zamboanga the coming of the United States war vessel which by some misunderstanding had been detained at a northern port. While awaiting the arrival of this war vessel, and less than twenty-four hours before it reported, his fleet was seized by Mindanao insurgents, and nearly one-half of his ordnance, consisting of artillery, rifles, and ammunition for same, was taken from him and landed about a mile from Zamboanga on the Mindanao coast. By this seizure the insurgents were supplied with a few pieces

of artillery, 11 quick-firing guns, 375 rifles, with considerable ammunition for all guns and pieces, and could therefore place themselves in fair condition for attack or defense. After they had captured and landed the arms complaint was made by the agent to the commanding officer of the Spanish troops at Zamboanga, who, it was understood, after having received the assurances of the insurgent chiefs that the arms would not be employed against his troops, did not concern himself further in the matter. The gunboats and what remained of the armament were convoyed to Manila by the naval authorities and turned over to the Army, which completed the purchase by payment from the accruing civil funds of the Philippines. They were subsequently transferred to the Navy for use, and under the direction of its commander in chief have ever since rendered most efficient service along the shallow coasts and harbors of the islands. The possession of these arms by the Mindanao insurgents rendered it inexpedient to land troops at Zamboanga and attempt to hold the place with any force which could be spared from Luzon. General Rios was therefore informed that we were not prepared to relieve his garrisons at either Zamboanga or in the Sulu Archipelago until organizations then en route should arrive; that the United States was entitled to a reasonable time to take over the places which Spain desired to surrender, and that since the ratification of the treaty such time had not intervened. Thus action was held in abeyance until May 13, when news of a surprising character was received, which is shown in the following explanatory communication:

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., May 14, 1899.*

Admiral GEORGE DEWEY, U. S. N.,

*Commanding United States Naval Force on Asiatic Station,  
Flag Ship Olympia, Manila Harbor, P. I.*

MY DEAR ADMIRAL: Yesterday I received a dispatch from Iloilo stating that the insurgents had made an attack upon the Spanish garrison at Zamboanga, using the arms and quick-firing guns which they had captured from the Spanish gunboats. They were repulsed, but the Spanish general in command and two of his officers were wounded, one enlisted man was killed and a few wounded. The insurgents have cut off their water supply and the Spanish garrison is left in rather a perilous condition.

Last evening a cablegram sent from Iloilo by the Spanish naval lieutenant, Cano, addressed to General Rios and sent in my care, was also received. This cited facts substantially as did the cablegram sent to me. General Rios telegraphed to Madrid and received directions to withdraw the Zamboanga and Jolo garrisons immediately. He called this morning and wished me to send troops down there at once. I made him no promise, but told him I would defer my answer until tomorrow. He asked me then if you would not send down a war vessel to cruise in those waters to give aid to the Spanish garrison in case it should be placed in extremity, to which I replied that I did not know, but would seek the information from you.

The situation here is as follows: We have no more troops at the present time than we need here in Luzon, especially if we carry out the campaign as projected. Lawton took San Miguel yesterday afternoon and will be far out in a day or two. Kobbe with 1,500 men accompanies the boats up the Rio Grande River from Calumpit and will start on Tuesday morning. MacArthur seems to have all he can do to cover the Pampanga province and give the inhabitants the protection from the insurgent troops which they demand. To the south of us the number of insurgents seem to be increasing, while to the east and north of the city they still maintain their hold.

We are still holding here the two Spanish vessels, the *Leon XIII* and the *Puerto Rico*, which General Rios desires to use to take his troops away from Zamboanga and Jolo. He said this morning that if these vessels could not be given him he must depend upon some of the merchant vessels in port to take his troops off or suffer the consequences of disobedience of his Government's orders.

Looking over the entire field, 2,000 men at least will be required to take and hold Zamboanga, its environments, and the water supply. The rebels there have a good deal of artillery, and, I think, are supplied with some 600 or 800 rifles, for which they have plenty of ammunition. Jolo can be occupied with about 600 men. I think, therefore, that it might be a good scheme to send the garrison to Jolo as soon as possible, or the Moros will destroy the fortifications and guns and turn them upon us when we appear. As for Zamboanga, I am afraid that we will have to permit the Spaniards to withdraw and take it later. \* \* \*

Does it seem desirable to send a vessel down to southern waters, as Rios requests, or could you convey our troops down south within two or three days?

One of our great needs here is light artillery. We have plenty on the transports coming, which, unfortunately, is not here now. The light battery which reported last week came off without its guns, and they are following it on the steamer *Leclanar*, which left San Francisco on the 3d of the month. There are 29 companies of troops due here within the next two weeks; also quite a number of recruits. \* \* \*

Yours, very truly,

E. S. OTIS,

*Major-General, U. S. A., Military Governor.*

To this communication Admiral Dewey responded that he would convey our troops and furnish General Rios with any assistance he desired, and I informed the general that, while regretting that we could not send troops to Zamboanga immediately, we would relieve his Sulu garrisons. The field was then carefully looked over, and as a battalion of the Twenty-third Infantry was already at Cebu it was determined to send the remainder of that regiment to the archipelago; whereupon the following orders were issued:

GENERAL ORDERS, ) HQRS. DEPT. PACIFIC AND EIGHTH ARMY CORPS,  
No. 28. ) *Manila, P. I., May 15, 1899.*

The Twenty-third United States Infantry is relieved from duty at this station and will proceed at once by transport to Jolo, island of Jolo, and relieve from duty there the troops of Spain now constituting the garrison at that place.

The quartermaster's department will furnish the necessary transportation, and the subsistence will supply rations for this command for thirty days.

By command of Major-General Otis:

THOMAS H. BARRY,

*Assistant Adjutant-General.*

General Rios, with two merchant vessels, sailed on May 17 for the south to place in readiness for departure his garrison at Zamboanga, with the understanding that our troops would arrive at Jolo on board the transport *Leon XIII* in sufficient season for his archipelago garrisons to take advantage of it, sail by way of Zamboanga, when all of his command could embark, and proceed homeward. He promised to render useless all the Zamboanga guns and destroy all ammunition there which was not to be removed, and this it is believed that he did.

The headquarters and two battalions of the Twenty-third Infantry, upon reaching Jolo, found the Spanish soldiers well prepared to depart, although they did not expect to be relieved by our troops. A Spanish staff officer took passage on the vessel with instructions from General Rios to govern their movements. The small garrison maintained at Siassi, island of Siassi, had been withdrawn to Jolo and the former place turned over to the Sultan, who had in person gone there from Maibun, his capital, and taken formal possession. The exchange of troops was quietly effected, full military honors were accorded, and the flags of the respective nations participating were saluted by our war vessel in the harbor when the Spaniards were formed to march out of the post and embark.

The force sent to Jolo arrived on May 19, and consisted of 19 line officers, 2 assistant surgeons, a chaplain, and 733 enlisted men. It

relieved a garrison consisting of 24 officers and 800 enlisted men. The post or village is described as follows:

It is hardly more than a good-sized military post, beautifully laid out, with broad, clean streets, lined with flowering trees and gardens, and surrounded by a loop-holed wall about 8 feet high and 1½ feet thick. The population is estimated at 400, mostly Chinamen, one German, no other Europeans. Four male Moros live within the walls. The public buildings are in a dilapidated condition. The governor's residence and office is one small building. There is one group of barracks (four buildings) which will accommodate one battalion. The theater will accommodate one company, and outlying blockhouses two companies. A commissary, post-office, schoolhouse, a hospital for about 100 beds, a market, and some few small structures compose the remainder of the public buildings.

The commanding officer of the United States troops reported the day after his arrival that—

The situation, in so far as determined from our limited experience, is as follows: Spain possesses the small walled town known as Jolo. The governor has complete control within the walls. There are no civil courts, no civil officers. Outside the walls the Sultan of Jolo and Borneo is the ruler. Spain pays him \$200, Mexican, per month. At present he is not on the island, but is visiting one of the neighboring islands about 30 miles south. He has recently returned from Mecca, and now dresses in European costume. Spanish soldiers seldom go beyond the range of the outlying blockhouses. The relation between the natives (Moros) and Spain is not altogether harmonious.

Subsequent reports showed that the Spanish troops had received orders to prepare for withdrawal from the archipelago and expected to depart very soon, but had not been informed that they would be relieved by United States troops. The Spanish commandant and governor had therefore taken the Sultan to Siassi from Maibun and turned the place over to him, and intended to turn over Jolo also when his force should evacuate. Our arrival was most opportune, and a matter of surprise—unpleasantly so—to the Sultan, who expected to award his datos with this acquired possession. His datos on Jolo Island were not, however, on the most amicable terms with him, and seemed to be pleased to welcome the Americans. They called on Captain Pratt, who was in command of our troops, expressed friendly intentions, and gave adhesion to the United States.

The captain, with some of his officers, returned the call, were the first Europeans who had ever entered the house of the chief neighboring dato, and were hospitably entertained. The Sultan, disappointed, lingered at Siassi, where he had established a police and garrison, and did not respond to the invitation to call upon our officers. His mother, the Sultane, however, who was at Maibun, sent the Sultan's secretary to welcome the Americans, when a return call was made upon her and she received our representatives most graciously and expressed gratification. Thus through the diplomacy of Captain Pratt and his subordinates a most satisfactory condition of affairs was attained upon which to base future negotiations, which were conducted by Brig. Gen. John C. Bates, U. S. V., during July and August.

Brigadier-General Hughes was relieved as provost-marshal-general at Manila and assigned to the command of the Visayan military district on May 25. He proceeded to his headquarters at Iloilo, Panay, early in June with instructions to carefully supervise matters in Negros and Cebu, but not to conduct any military operations in Panay further than was necessary to hold Iloilo and its outlying villages, then in our possession, as no additional troops could be given him and as the policy of nonaction in the island other than might be considered defense would result in dissensions between the Visayan and Tagalo, who, should we attack, would unite all factions for resistance. The

policy has worked excellently. Tagalo soldiers to the number of about 2,000 had been sent from Luzon. Their officers practically assumed the conduct of all Panay affairs, even if they did not do so ostensibly or expressly, and the Panay inhabitants have been made to suffer severe pecuniary losses and in some parts of the island great lack of provisions, while robbery and other crimes have prevailed. The manifested hostility between Visayan and Tagalo is now very pronounced. We have been invited by the former to take possession of northern and eastern Panay, with promises of assistance if we would consent to do so, and very recently the Tagalos assumed control in every particular, disarmed all the Visayans on the plea that they could not be relied upon for support, and are conducting a military government in accordance with their individual desires, the chief object of which is reported to be individual pecuniary profit.

While during the month of May the majority of our troops were operating to the north of Manila in central Luzon, the insurgents in the Cavite and Morong provinces, south and east of the city, were very active, and extreme watchfulness on the part of our thin lines of defense was necessary. Their numbers continued to increase until they had concentrated some 6,000 on the south and some 2,500 to the east. The former had been recently animated with some mysterious belief to the effect that the Americans were about to be given over to them for slaughter. Among them a battalion of boys of tender age appeared, whose mission was to throw stones at the enemy under the guidance of Providence; but one or two of the little fellows were wounded, and the desire for self-preservation being stronger than their religious enthusiasm, they were seen no more. This concentrated southern force made daily demonstrations of some character, and an occasional attack, when the loss of a few of their men cooled their ardor for two or three successive days. An advance to the south with the intention of permanent or temporary occupation was not desirable. Should it be made and towns or villages be taken, the inhabitants would pray for protection against the return of the insurgents, and this could not be given them from the troops available without seriously interfering with projected operations. Hence, on the south we had occasionally driven back the enemy a few miles when he became annoying and then returned the troops to the old lines. To the east and northeast reconnoissances were made frequently to locate the shifting foe, ascertain his intentions, and provide the necessary precautionary measures.

General Lawton was directed to disperse his troops at Candaba, turning over the Third, Seventeenth, and Twenty-second Infantry to the Second Division, to be established on the new line from San Fernando to Baliuag, with a station at Quingua, and to send back to Manila the most of the Fourth Cavalry, the North Dakota and Oregon Volunteers, placing the Minnesotans on the railroad between Bocave and Calocan. He therefore gave orders for the troops at San Miguel to withdraw to Baliuag and left Candaba on May 23.

The withdrawal of these troops and the descent made on the Rio Grande River to Candaba excited the insurgents to great activity, they supposing that a retreat was intended. They forwarded their forces by rail to General MacArthur's front and concentrated near San Miguel. On the march to Baliuag our troops encountered them morning, noon, and evening, and suffered in casualties 2 men killed and 13 wounded, but the enemy left with them 16 killed, a considerable number of wounded, and a few prisoners, besides a small amount



of property. This movement placed the entire Third Infantry, a battalion of the Twenty-second Infantry, a troop of the Fourth Cavalry, mounted, and two guns at Baliuag, rendering the place too strong for attack, and the enemy withdrew to the north. Upon the following day, May 24, a force of the insurgents attacked an outpost on the right of San Fernando, when a collision occurred involving the South Dakota, Kansas, and Iowa volunteers and portions of the Seventeenth and Twenty-second Infantry, with the result that the enemy was badly handled and retreated, leaving 50 dead and 38 wounded on the field, and we captured 28 prisoners, 50 rifles, and other property; our casualties, 7 killed and 6 wounded, all of the South Dakota regiment. These minor affairs corrected the impressions of the enemy as to our intentions of retreating, and no action of importance took place at the north for some time.

During the month of May we had a large accession of regular troops, consisting of six organizations, the Thirteenth Infantry arriving on the 29th of that month. On the last day of May there were present in the Philippines 1,201 commissioned officers and 33,026 enlisted men, of whom 614 officers and 6,098 enlisted men were stationed in the southern islands and at the Cavite naval station. Deducting the 13 per cent of sick, special-duty men, and those undergoing court-martial sentences, there were for duty in all the islands 25,809 enlisted men, and in Luzon, the Cavite arsenal excepted, 20,965. This was a large force, sufficient to accomplish efficient work with celerity, but of the entire number present over 16,000 were volunteers or were awaiting discharge under War Department promises and less than 18,000 were regulars owing further service to the Government. These 16,000 men must be assembled, must be individually accounted for, placed in condition for departure, and shipped to the United States at the earliest date.

The great labor attending this shipment was entered upon on May 25, when specific orders to govern all particulars of procedure were issued. The volunteers had been somewhat careless in rendering returns for men and public property and were not familiar with legal requirements in these matters. Hence several days were necessary to straighten out rolls, returns, and discharge papers after the organizations were assembled. Under the War Department directions it was ordered that the departure of these troops should be permitted in accordance with priority of date of arrival. This brought the Oregon and California troops first, but the latter were scattered over the island of Negros. The Oregon troops were assembled in Manila on May 26 and directed to hasten the necessary paper work and the transfer of public property which was to be left behind. This was not accomplished until about June 10, and portions of the regiment in the meantime took part in the military operations in the vicinity of the city. It sailed on June 14, a delay of two or three days attending its decision on a question it was allowed to determine whether to sail for San Francisco or Portland, Ore. A regular regiment must be secured to relieve the Californians in Negros, and the Sixth Infantry, then en route, was selected. It did not arrive until June 18, when it was sent south. But prevailing typhoons delayed relief, and the Californians did not leave Manila Harbor until July 26, after the Nebraska, Utah, Pennsylvania, and Colorado troops had taken their departure.

Troops were about to depart much more rapidly than they could be received, and the country we were covering must be held. It was not possible, therefore, to make extensive offensive demonstrations

until the Eighth Army Corps could pull itself together again. In the meantime the insurgents were making great exertions to worst us by attacking our lines of communication and our force in the province of Pampanga. But all of their efforts were futile and resulted in their repeated discomfiture.

The latter part of May it was reported that the inhabitants at Antipolo, Morong, and other near towns east of Manila were suffering heavily on account of the crimes committed by General Pilar's insurgent troops, and they called for protection. Pilar enjoys the reputation of being for years the bandit chief of that section of country. He stood high in the favor of Aguinaldo, either on account of the latter's fear of him or because he had the ability to keep together and direct troops drawn from the criminal classes. He had within his command about 2,500 men and formerly operated south of the Pasig, from which he had been driven, and subsequently commanded the province of Morong. As soon as General Lawton returned to Manila he was instructed to collect a force and cause these insurgent troops to be driven off. Assembling 2,500 men at the pumping station, under command of Brigadier-General Hall, he directed it on June 3 upon Antipolo, and at the same time moved 8 companies of the Washington Volunteers by lake to Morong, and the First North Dakota and a battalion of the Twelfth Infantry on Taguig from Pasig. The rough character of the country in the direction of Antipolo and the heat of the day caused Hall's column to move slowly. He met with slight resistance from a scattered force of 300 at the base of the mountains and entered that place the following morning. Morong and Taguig were taken, and the narrow strip of land extending into the Laguna de Bay from the north was explored without discovering the presence of the enemy, unless in the guise of the "amigo," with weapon carefully concealed, a character of partisan which prevails extensively in this country when first captured by our troops. The insurgents had scattered, and most of them at least had taken the trails into the mountains, where they could not be profitably pursued. On the march to Antipolo our casualties were 2 men killed and 9 wounded, and at Taytay 2 men killed. The enemy suffered a much greater loss and left 9 dead and a number of wounded on the Morong field alone, where our troops did not meet with any casualty. Morong was occupied for a time and from it reconnaissances were made into the interior and along the shore of the Laguna. Its garrison was removed across the lake to Calamba, when that point became a permanent station.

The enemy had become again boldly demonstrative at the south and it became necessary to throw him back once more. He had intrenched himself very strongly in the vicinity of Paranaque and near Taguig; also in front of San Pedro Macati, the center of our line. On June 7 General Lawton was instructed to concentrate a force of 4,000 men approximately in the vicinity of the last-named town, to be placed under the immediate supervision of Generals Wheaton and Owenshine, move the same to the front and center in two columns, disperse the enemy in the immediate front, and then, swinging these columns to the right and left, place them in rear, if possible, of his strong positions on our flanks. Dispositions were completed on June 9, and early the next morning the command moved out. Six companies of the Colorados constituted the advance guard, took the direction of the intrenchments in the immediate front, which they attacked with great vigor. The enemy was soon driven and scattered. Wheaton, swinging to the left, soon routed the insurgents in that direction, who

made such rapid flight to the south that few of them were caught. Ovenshine took up his swinging movement to the right to place his troops on the Bacoor road south of Las Pinas, but, unfortunately, the day was one of the most enervating of the year. The sky was cloudless and no air stirring. The troops, which had recently arrived from the United States, began to be overcome with the heat before they had marched 2 miles. The colonel of the Thirteenth Infantry was prostrated from sunstroke, and nearly all of that regiment fell out on the line of march before it had proceeded as far south as Paranaque. General Lawton accompanied this column in person, and, quickly taking in the situation, directed Wheaton's column to join as soon as possible; but before this was accomplished the enemy, advancing from Paranaque, boldly attacked what remained of Ovenshine's men. He was repulsed after some active skirmishing, and, Wheaton joining, the march in the direction of Las Pinas was continued, and late in the afternoon General Lawton was obliged to halt a little south of east of Las Pinas, but could not secure the road by which it was believed the enemy would retreat. His men had suffered severely from the hard march, and especially from lack of water, for scarcely any that was potable could be found by them.

Fully 50 per cent had succumbed to the heat and fatigues of the day. The insurgents, too, had suffered from the same causes, and in addition had been signally defeated. They left on the battlefield a great number of dead, over 70 of whom were discovered and counted, while our casualties summed up at 1 enlisted man killed and 2 officers and 21 men wounded. That night the enemy escaped from Paranaque and Las Pinas by the Bacoor road and across the Zapote River, along which they had constructed formidable intrenchments, where they had, in 1896, gained a great victory over the Spaniards, and where they believed they would be invincible. In fact, a great number of them had made religious vows, assumed under superstitious rites, to overthrow the Americans there or die in the ditches.

The most conservative estimate of their numbers was 3,000, and to meet this condition of affairs new combinations must be made. The Thirteenth Infantry was brought into Manila and placed on the north line, relieving the Fourth Infantry and Wyoming Battalion, which were sent to General Lawton, who in the meantime had carefully reconnoitered the enemy's position and had concluded to attack at the Zapote River bridge of the Bacoor road. In reconnoitering near that point in person with two companies of the Twenty-first Infantry he was suddenly attacked on front and flanks by a large force of the enemy from its brush concealments, whereupon, retiring a short distance and hurrying up supports, he threw it back upon the river. His troops, having been resupplied with rations and ammunition, and his reinforcements forwarded, all by water transportation plying between Manila and Paranaque, he, on June 13, attacked the enemy in his intrenchments on the Zapote. The country was most uninviting for military operations, and he made his dispositions for a main attack on the river bridge, near which, after hard and persistent effort, he had secured a position which flanked a portion of the enemy's lines. The Navy had, in the meantime, at a point on the shore of the bay, landed from one of its vessels near Las Pinas 38 men and a quick-firing gun where it could do execution on the left flank of the insurgents should they attempt demonstrations in that direction. At 3 o'clock that afternoon General Lawton wired to headquarters in Manila that the battle was severe, and that the enemy was fighting in strong force and with determination. Twenty minutes later he

telegraphed, "We are having a beautiful battle. Hurry up ammunition; we will need it;" and at 4 o'clock: "We have bridge. It has cost us dearly. Battle not yet over. It is a battle, however. I can not approximate our loss. It will be 15 or 20, I think. Several are killed—2 or 3. I have not had time to ascertain." That evening he telegraphed as follows:

LAS PINAS, June 13—6.07 p. m.

ADJUTANT-GENERAL, DEPARTMENT OF PACIFIC:

Impossible to give many details of fight. We were engaged at close range this morning. Enemy came boldly into the open ground and advanced to 130 and 100 yards. This evening we assaulted trenches 25 feet thick, crossing river in their front. Many of enemy's dead lay in trenches. We now occupy south side of river. The report of wounded in engagement this a. m. was exaggerated. Many heat prostrations were reported wounded. The number will be about 7 or 8. The surgeon reports 29 wounded, now in hospital. I know there are several more to come and none of the dead are yet in. I believe some 40 will cover the killed and wounded for the day. The men and officers fought like Americans, and I will mention later several for most distinguished gallantry. Among them General Owenshine; Captain Sage, Twenty-third Infantry; Lieutenants Donovan and Connolley, Twenty-first Infantry, the latter two wounded.

LAWTON, *Major-General, Volunteers.*

The enemy fled southward up the Zapote River to Imus and San Nicholas, a few westward along the shore of the bay, and our troops took possession of Bacoar, extending their outposts toward Old Cavite and Imus. The inhabitants gladly welcomed their arrival and offered to furnish every assistance in their power if the requisite protection could be given them. It was not desired nor was it the intention to pursue the enemy southward under any circumstances if it involved us with even temporary occupation of the country, as our strength did not justify such a scattering of our forces, and as every available man should be sent toward our true objective in the north. The Cavite and Batangas provinces, though the original hotbeds of all insurrections in these islands, were without military importance under the conditions then prevailing, and General Lawton, before moving out of Manila, was warned against taking possession of any southern country which looked to permanency. However, the inhabitants of this section were suffering for rice and those near the bay coast had not planted their crops. They importuned us for the continued presence of troops, that they might unmolested commence their planting and be assured that they would receive the reward of their labors. On the morning of June 15 General Lawton telegraphed as follows:

A representative of the civil government at Imus has just come, formally announcing the surrender of that place and inviting the Americans to enter. He states the insurgents all left yesterday afternoon in the direction of San Francisco de Malabon. He states the people of that section are frightened and tired of war and want peace, and welcome the Americans with pleasure. This man states in further explanation of the direction taken by the troops leaving Imus that they went in several directions, but generally toward Dasmarinas and Malabon; that the men were much demoralized, but were afraid of their generals; that they have little ammunition, one rapid-fire gun, and one muzzle loading gun. They commenced removing the cartridge factory three days since and that it was taken to Buena Vista, which lies between Malabon and Dasmarinas. The reconnoissance made yesterday did not find the enemy, although it went almost to Imus. The bridge below Bacoar is now in our possession and guarded. One hundred and twenty-five insurgents buried yesterday here. Sixteen men, including one captain, were buried at Imus yesterday. I think we should push the enemy a little more. This man states that the people do not wish war and that they look upon the Americans as friends and are glad to see them come, but that Aguinaldo and his cut-throats (this is his own expression) only desire war. The vicinity of our fight on the extreme right, where the reconnoissance was made this morning, has not yet been visited; many dead must be found there.

While General Lawton was operating in the vicinity of Las Pinas and the mouth of the Zapote River 300 men of the Cavite garrison, taken from the California Heavy Artillery and the Pennsylvania regiment, were sent southward on reconnoissance along the neck of land which connects that point and the main shore, against the town of Noveleta—this to create a diversion in our favor and ascertain what we could of the enemy's positions and intentions. These troops were engaged on this duty and incidental movements for three successive days. They penetrated the country to Old Cavite, San Francisco de Malabon and nearly to Rosario, and determined the fact that no great number of the insurgents could have retreated in that direction, although still in considerable force in that section. The following response, therefore, was sent to General Lawton's telegram, which is above set out:

Do not think that insurgents retreated to San Francisco de Malabon, except probably small detachments may have gone in that direction. Road from Imus to Malabon very bad, and all insurgents have retired from Noveleta. Their proper line of retreat would have been south. We do not wish to hold Imus, but you can send there a couple of battalions, with 2 guns for temporary purposes, utilizing for present dispositions all troops you have and the 3 battalions sent you this morning. My information is that many insurgents have received instructions from Baldamero Aguinaldo to return to their homes with their guns, and to secrete guns for future use. This may account for the unusual number of "amigos" at Paranaque. Rice and beef for distribution to the inhabitants will be sent to Las Pinas, also to Paranaque, in the morning.

That morning I had cabled to Washington the following:

MANILA, P. I., June 15, 1899.

AGWAR, Washington:

Success Lawton's troops Cavite Province greater than reported yesterday. Enemy numbering over 4,000 lost in killed, wounded, and captured more than one-third; remainder much scattered; have retreated south to Imus, their arsenal. Of 5 pieces of artillery, 3 captured. Navy aided greatly on shore of bay, landing forces occasionally. Inhabitants in that country rejoice at deliverance, and welcome with enthusiastic demonstrations arrival of our troops.

OTIS.

It subsequently appeared that the insurgent army, after retreating through Imus, divided, the larger portion continuing its retreat south to Dasmarinas, about 8 miles distant therefrom, the remainder proceeding westward to Malabon, where they were found in increased numbers on June 16 by the Cavite reconnoissance detachments. On that day General Wheaton was sent to Imus with the Fourth Infantry and a platoon of artillery.

On this date the military operations of the insurgents in the north, who were again becoming quite active, received a severe check, and once more comparative quiet in that section was restored. At noon we received a dispatch from General MacArthur, sent from San Fernando, as follows:

At about 4.30 this a. m. an extensive demonstration was made by insurgents against this place. They appeared on our entire front, on both sides of the river—that is to say, the town was entirely surrounded. The diameter of the line of insurgent operations was about 3 miles. As far as the town was concerned, the attack was reported at all points with considerable loss to insurgents. Our loss not yet ascertained, probably not large. Line went down immediately. \* \* \*

Since writing have information of 50 feet of track being taken up in vicinity of Apalit station. Mallory takes material, and will repair break if possible. We have in neighborhood of 50 of enemy's dead in our possession and something like 25 wounded. Some 75 guns have been captured and are in our possession or destroyed. Our loss so far reported, 12 wounded; mostly slight. Further particulars as soon as ascertained.

In the afternoon the following was received:

SAN FERNANDO, *June 16—2.21 p. m.*

ADJUTANT-GENERAL:

In reply to wire requesting report of particulars of attack this a. m., reference is respectfully made to my previous message in the premises; in addition to which it is further remarked that preparations inside the insurgent lines have been apparent for a number of days, and that the affair this a. m. was premeditated and intended to be on a very large scale, with a view to surrounding this command and severing communication between here and Calumpit. There is very little doubt now that Aguinaldo was present in person and that the number of troops employed numbered quite 5,000 armed men, many of whom have been recently brought from the north by train, and possibly even from the line east of the Pinag de Candana. This elaborate preparation resulted in complete failure at every point, although every position in our front was attacked. We have in our hands in the neighborhood of 100 dead and wounded insurgents, and their losses probably run well into the hundreds.

MACARTHUR, *Major-General.*

And later in the day General MacArthur telegraphed:

It is reported, with a considerable probability of being true, that Aguinaldo was present in command of troops here this morning, or in the immediate vicinity, supervising operations. The demonstration was on a very extensive scale, in which not less than 3,000 men were employed, and probably very many more. The movement has been in preparation for several days; the details were very elaborate. The Iowa regiment did some fine work immediately after appearance of enemy in their immediate vicinity. They made an extensive return in fine shape, and drove the insurgents back through their own works and out of sight, with heavy punishment of enemy, 15 of whose dead were left in their hands and 12 wounded. The Kansas regiment also made a handsome offensive return. The insurgent left 39 of their dead with them and quite a number of wounded.

After General Wheaton had reached Imus he endeavored to locate the enemy by reconnoissance, and, believing him to be in considerable force, he was strengthened by additional troops, so that he had with him the entire Fourth and a battalion of the Fourteenth Infantry, the Nevada Cavalry, and 4 pieces of artillery. On the morning of June 19 he sent Major Bubb, with his battalion of the Fourth Infantry and 1 gun, southward on the Dasmarinas road. Shortly before noon, when the reconnoitering party had advanced some 6 or 7 miles without encountering opposition and was about to return, the enemy, in strong force, concealed in the thick brush and the surrounding swampy undergrowth, suddenly made an attack on its front and flank. Bubb, fighting his men skillfully against heavy odds, slowly retreated, for four hours inflicting punishment on the enemy, until General Wheaton, learning of the affair and taking the 2 remaining battalions of the Fourth Infantry and 3 guns, joined him. Wheaton then quickly threw forward his entire force, routed the enemy, and drove him at rapid pace back on Dasmarinas, near which he bivouacked for the night. As soon as this movement was reported, a battalion of the Ninth Infantry was hastened from Bacoor to Imus for the purpose of strengthening the force left there, thus rendering the place secure against attack from the direction of either San Nicholas or Malabon, and to reinforce Wheaton, if necessary. Its position at Bacoor was taken by 200 men hastily moved across Manila Bay in cascos from the Cavite Arsenal. On the evening of the following day this dispatch was received:

DASMARINAS, *June 20—6.40 p. m.*

Major-General OTIS:

Yesterday I sent Bubb's battalion, Fourth Infantry, and one 3.2-inch gun on reconnoissance on Dasmarinas road, from Imus. Seven miles out he met the enemy in force, advancing to attack on Imus. He engaged in combat with them until 1, in person, reenforced him with 2 battalions and 3 guns. The enemy was com-

pletely routed, flying in the direction of Dasmariñas and San Francisco. His loss in killed was large—55 of his dead were brought to Dasmariñas church. The column bivouacked on the Dasmariñas road for the night. This morning I reenforced the column with 7 companies and advanced and occupied Dasmariñas, small bodies of the enemy resisting on the front and flanks. They had 6 killed and 2 wounded brought to Dasmariñas church. Our loss so far, only 3 wounded. Yesterday we had 4 killed and 20 wounded—all of the Fourth Infantry. The enemy's main body is now between here and San Francisco. Dasmariñas has but few houses, is surrounded by swamps, and is a long day's march from Imus. Road impracticable in bad weather. I will return to Imus with my command to-morrow, unless otherwise directed.

WHEATON.

He was directed to drive off or destroy the insurgents' moving arsenal or cartridge manufactory reported to be at Buena Vista, a near point, and thereupon return to Imus, as the roads had been rendered impracticable by heavy rains for any further operations in that section. Buena Vista could not be reached on account of intervening swamps, and the column returned to Imus, experiencing difficulty in moving the artillery over the wretched roads. Shortly thereafter all troops were retired from Imus, except the Fourth Infantry and a platoon of artillery. The Fourteenth Infantry and a troop of cavalry were left to garrison the towns of Bacoar, Las Pinas, and Paranaque. Local municipal governments of a primitive character were established, supervised by officers present in command of troops, and the people, apparently well satisfied, betook themselves to the planting of their rice and their formerly accustomed avocations.

We had thus, under circumstances which had been forced upon us by the determined opposition of the insurgents, enlarged our holdings in the south by a considerable acquisition of territory which was without strategic importance, although it made control of the waters of Manila Bay less difficult, as the coast was now in our possession from the province of Bataan to the Cavite Peninsula, excepting the slight portion between Bacoar and Noveleta on the south. But this occupation deprived us of the active aid of 2,500 men for field movements when their services at the north were important.

We were now busily engaged in discharging over 60 per cent of the enlisted men of the artillery and infantry regiments of the regular establishment, which had joined us previous to February, and in bringing into Manila and preparing for departure the volunteer organizations. We had still in the Visayas 6,200 men and in Luzon 26,000, of whom more than 20,000 were for duty, but the most of the volunteers were not considered available, except possibly to meet some unexpected emergency, and before the end of July more than 8,000 of them had been discharged or sailed for the United States, their places being in part taken by new arrivals.

The end of the month found us with 29,427 enlisted men, of whom 23,279 were reported for duty, and of whom 18,000 were in the island of Luzon. Active hostilities were maintained by a continued series of minor affairs, notwithstanding the unparalleled heavy rainfall of 46 inches in a single month, with an accompaniment of a number of severe typhoons. These affairs occurred mostly on our railway line of communication and at the north, and attended our endeavors to open the Laguna de Bay country for traffic with Manila, for which the inhabitants were particularly desirous. The latter efforts were not successful to any great extent because of insurgent bands which appeared at various points on the lake to secure the commercial advantages and the persistent labors of traders in Manila, either insurgent

sympathizers or seekers (who were of varied nationalities) for individual gain, whom pecuniary profit influenced more than conscience or fear of punishment. It was found to be impossible to hold in satisfactory check contraband trade, and as for the rice and other articles of subsistence sent out of the city, it was ascertained that the greater portion of it found its way to the insurgent troops. This trade was therefore again placed under restrictions, which are enforced still. The troops doing duty in the lake region were active. A dismounted squadron of the Fourth Cavalry, under the command of Captain McGrath, supplied with a launch and cascoes as transportation, visited many points on the lake and were received at times with white flags and the friendly demonstrations of the inhabitants and at times by the bullets of the insurgent troops, whom they invariably drove into the interior, but who returned after our men departed. On July 26 Calamba, which had been strongly intrenched and supposedly firmly held, was captured by General Lawton's troops, consisting of the Twenty-first Infantry, a squadron of the Fourth Cavalry, and a battalion drawn from the Washington regiment, all placed under the command of Brigadier-General Hall, with the loss in casualties of 3 men killed and 11 wounded. The insurgents stoutly resisted, but, as it has always happened in such cases, they experienced a costly discomfiture. Los Banos, the location of an expensive military hospital erected by Spain, was also taken, and the two places are still held by our troops, composed of a platoon of Light Battery F, Fifth Artillery, and the entire Twenty-first Infantry. Several attempts have been made to dislodge them by concentrated forces of the enemy, which have resulted in failure and severe punishment.

Our returns for August 31 showed a total Army force present in the Philippines of 30,963 officers and enlisted men, of whom more than 3,500 were volunteers awaiting shipment and men of the regular regiments about to be discharged, and hence could not be reckoned among the available. Of this total, twelve and a fraction per cent were sick, leaving 27,189 officers and men for duty. Deducting therefrom the volunteers, there were left less than 24,000 officers and men for duty, of whom 4,145 were absent in Jolo, the Visayan Islands, and at Cavite Arsenal. Of the less than 20,000 remaining for duty in Luzon, 2,600 belonged to the provost guard of the city of Manila, 1,900 were on special duty, 345 were in confinement, and nearly 900 were members of the Hospital Corps. The force of active combatants outside of the city was therefore between 13,000 and 14,000 men, of whom 5,000 were required to hold the long line encircling the same. We received from the United States in August 133 officers and 4,247 enlisted men, consisting of an engineer company, the Nineteenth Infantry, 10 companies of the Twenty-fourth and Twenty-fifth Infantry, 2 troops of Fourth Cavalry, and 1,195 recruits for the various regular organizations.

The casualties in killed and wounded among all United States troops in the Philippines from August 1, 1898, to August 31, 1899, number 1,900 and were, from the period from August 1 to February 4, which includes the capture of Manila from the Spaniards, 1 commissioned officer and 18 enlisted men killed or fatally wounded, 11 officers and 97 enlisted men wounded, but not fatally; and for the period from February 4, when the insurgents declared war against the United States, to August 31, 1899, 19 officers and 342 enlisted men killed or who died of wounds received in battle and 87 officers and 1,325 enlisted men wounded.



The majority of the wounded have recovered. Only 4 enlisted men have been reported as captured in action. One hundred and seventy-eight men dropped as deserters are still at large. Many of them escaped from the islands, but this desertion list includes men who absented themselves from their companies without permission and carelessly wandered beyond our lines into the enemy's country. These possibly aggregate 30 or 40. A few men who had been discovered as former deserters from the Army again deserted direct to the enemy, and some of them, it is rumored, hold commissions in Aguinaldo's forces. One officer, Captain Rockefeller, Ninth Infantry, is missing. While inspecting his picket posts near Manila on the night of April 29 he lost his bearings and wandered away from his command. Search was made for him for two days by a detachment of his regiment, but unsuccessfully, and no satisfactory information has been received concerning him, although repeated inquiries in various directions have been made. Deaths from accident for the thirteen months ending August 31, 1899, aggregate 5 officers and 91 enlisted men, of which 58 resulted from drowning and 11 suicide. Those drowned were mostly engaged in reconnoissance duty at the time and lost their lives in attempts to cross rivers swollen by heavy rainfalls. Deaths from disease number 12 officers and 426 enlisted men, of whom 90 died of variola, 120 of typhoid fever, and 72 of dysentery. Therefore the total loss by deaths from battle and disease of the Eighth Army Corps in the Philippines for the thirteen months ending August 31, 1899, was 37 commissioned officers and 879 enlisted men, and the total of deaths and casualties of every description, slight wounds included, numbered 144 among commissioned officers and 2,208 among enlisted men.

During the entire period covered by the foregoing general recital of the strictly military operations of the troops in these islands, the varied subjects arising in civil administration, the settlement of affairs between Spain and the United States, and the antagonistic individual interests connected with trade and commerce gave constant perplexity and required unremitting labor. When the armed insurgents had been driven away from the vicinity of Manila, the inhabitants of Manila asked for some sign of American expressed intention in inaugurating its Filipino government. We had control of nearly all of the province in which the city is situated, and it was believed for a time that we could with safety set up a provincial governor and revive, to a certain extent, the formerly enforced civil regulations with which the people were acquainted, amending them so that reported past abuses could not be practiced. The organization of a civil government for Manila was also taken under advisement, but conservative precaution indicated that such action might be attended with risk, especially as to property, for the population was becoming very dense, and much of it of a floating character, and needed close watching and a measurable degree of repression. Manila is now and for some time has been looked upon by the natives as the only safe refuge in Luzon, and unless those seeking it for an abiding place were restrained numbers would soon become too great to carry out necessary sanitary measures for the preservation of the public health and possibly to enforce the required public regulations for the public safety. No correct census of the city's population has ever been taken and none has been attempted for several years. Estimates vary widely. Conservative people place it under 400,000 and some educated and practical Filipino residents report it as high as 600,000. The majority

of this mass is irresponsible and easily excited. Insurgent agents, some with fair social standing, if not prominence, and holding appointments from Aguinaldo, are continually plotting in our midst, and Manila and every landed province under our control has its accredited insurgent governor. Under these prevailing conditions the introduction of a civil supervision of affairs by citizens, though under general military control, has been deferred. In the city a civil native police force has been organized, numbering 360, which is divided into four companies, each having its native captain and sergeants, and has worked admirably thus far in connection with the provost guard. These men, like our fire department, have thus far proved true, and are feared by the criminals and disloyal element of the population much more than our soldiers who patrol the streets, because they are known to and are closely watched by them. Other cities and towns in our possession were accorded local government under military supervisory restrictions, as shown in the following directory provisions of orders, viz:

1. In each town there will be a municipal council, composed of a president and as many representatives or headmen as there may be wards or barrios in the town, which shall be charged with the maintenance of public order and the regulation of municipal affairs in particulars hereinafter named. It will formulate rules to govern its sessions and order of business connected therewith, and by majority vote (to be determined by the president in case of a tie) will, through the adoption of ordinances or decrees, to be executed by the president, administer the municipal government; but no ordinance or decree shall be enforced until it receives the approval of the commanding officer of the troops there stationed.

2. The president shall be elected by a viva voce vote of residents of the town, approved by the commanding officer, and, together with the headmen or representatives of the council, shall hold office for one year. He shall be of native birth and parentage and a resident and property owner of the town. The headmen shall be elected by a viva voce vote of residents of their wards or barrios and shall reside and own property therein.

3. The president shall be the executive of the municipal council to execute its decrees issued for the following purposes, viz:

To establish a police force.

To collect taxes and license fees, to act as treasurer of public funds, and to make disbursements on warrants of the council.

To enforce regulations relating to traffic and the sale of spirits, to establish and regulate markets, to inspect live stock and record transfers and brands of the same.

To perform the duties formerly belonging to the lieutenant of the paddy fields.

To enforce sanitary measures.

To establish schools.

To provide for lighting the town.

4. The senior headman, or one designated by the council, shall be vice-president of the same, assistant to the president, and shall be ex officio lieutenant of police.

5. The headman of a ward is the delegate of the president for that ward; shall take measures to maintain order, and shall have power to appoint two assistants.

6. The council shall have no jurisdiction in civil cases, but on the application of parties in interest and their agreement in writing to accept the award of the council, it shall hear and decide cases involving property not exceeding in value \$500.

7. In criminal matters the president, representing the council, shall make the preliminary examination and, according to the result, discharge the prisoner or transfer him immediately to the custody of the military authorities for trial by provost court.

8. The lieutenant of police may arrest or order the arrest of persons violating a city ordinance, disturbing the peace, or accused of crime; but no person shall be held in confinement longer than twenty-four hours without a preliminary examination, and no person shall be arrested for nonpayment of taxes or for debt.

9. The president shall render to the council during the first week of each month a certified account of collections under each tax, and of disbursements made during the preceding month. Said accounts, having been approved by the council, shall be forwarded, with vouchers, to the commanding officer of the troops, who shall make and retain a certified copy thereof.

10. Special appropriations shall require a unanimous vote of the council; regular disbursements may be made by ordinary decree on a majority vote.

11. Whenever the commanding officer of troops shall notify, in writing, the council that in his judgment a decree issued under subdivision 3 is inadequately executed, or shall make any other criticism or recommendation, the council will convene as soon thereafter as practicable to consider his communication and shall make written reply thereto, which reply, if he deem it insufficient, he shall forward, with his remarks, through military channels to these headquarters.

12. The foregoing provisions, tentative in character, are subject to amendment by enlargement or curtailment, as special conditions or development may make necessary.

In most instances these simple local establishments answer all purposes of a temporary nature and are drawn from former Spanish decrees and customs. In some cases the president has been discovered to be an ardent insurgent, engaged in forcing money collections in the interest of the enemy, but he is apt to desert his post and join his friends with his extortions before he can be arrested. One in whom confidence had been placed sold out for a general's commission and is now actively engaged in annoying our troops south of Manila. The lack of manifested surprise or indignation on the part of citizens by whom these criminals had been intrusted with the management of local affairs on discovering that they had been deceived and robbed presents an unfavorable commentary on the moral complexion of the native.

The Spanish civil courts, from which criminal jurisdiction had been taken, as shown on pages 59 and 60 of this report, had voluntarily closed their sessions in October and November, leaving the administration of justice by constituted tribunals to the provost courts of our creation. These provost courts could meet requirements in commercial matters, but the business of merchants and the property transactions of inhabitants necessitated judicial assistance of a strictly civil nature. The reestablishment of civil courts became the subject of mature deliberation. A number of conferences were held with Judge Arellano, a leading Filipino lawyer, who accepted the position of secretary of state in Aguinaldo's cabinet under popular pressure and from which he had withdrawn of his own volition shortly after acceptance, in the conviction that he could not thereby serve the interests of his people. After much hesitancy he promised to comply with my request to assist in the reestablishment of the supreme court of the islands and those of inferior jurisdiction for the city of Manila and suburbs. He advised strongly against a purely native judiciary, as the Asiatic consular court practice would result, since domiciled foreigners would not submit to the orders of a native court except under protest and appeal for relief to their own governments, and this would give rise to international difficulties. He advised that judges be selected from the most competent lawyers of the islands, and from United States officers versed in the law and acquainted with United States civil codes of procedure, to the end that simpler forms of practice might be substituted gradually for the cumbersome and dilatory methods hitherto pursued by Spain. The Spanish law, built upon royal prerogative, legislative enactments, and decrees of governing officers issued under conferred powers, extending over a period of centuries, has never been codified. In order to organize tribunals of justice, with membership other than Spanish and with modified powers and forms of procedure, in order to impose upon the inhabitants the laws of Spain intelligently amended in essential particulars, required

exhaustive research. This labor Judge Arellano undertook and carried to sufficient completion to enable us to make the necessary legal modifications and to organize the courts. His recommendation for the appointment of certain men to the bench who were drawn not only from Luzon but also from the Visayan Islands were approved and orders prepared by him and Lieutenant-Colonel Crowder, of the judge-advocate's department, were duly issued, as follows:

GENERAL ORDERS, }  
No. 20. }

OFFICE U. S. MILITARY GOVERNOR IN THE  
PHILIPPINE ISLANDS,  
*Manila, P. I., May 29, 1899.*

I. Chapter 3, title 2, of the Organic Royal Decree of January 5, 1891, prescribing the qualifications of appointees to colonial judicial office, is, in its application to judicial appointments in the Philippine Islands, hereby suspended.

II. The supreme court of the Philippine Islands (*audiencia territorial*), heretofore administered in the city of Manila, the exercise of whose jurisdiction has been suspended as to criminal affairs since August 13, 1898, and as to civil affairs since January 30, 1899, is hereby reestablished and will exercise the jurisdiction, civil and criminal, which it possessed prior to August 13, 1898, in so far as compatible with the supremacy of the United States in said islands, and will administer the laws recognized as continuing in force by proclamation from these headquarters dated August 14, 1898, except in so far as they have been, or may hereafter be, modified by authority of the United States.

III. The following appointments are announced:

President (*presidente*), D. Cayetano Arellano.

#### CIVIL BRANCH (*SALA DE LO CIVIL*).

President (*presidente*), D. Manuel Araullo.

Associate justices (*magistrados*), D. Gregorio Araneta, Lieut. Col. E. H. Crowder, judge-advocate, U. S. V.

#### CRIMINAL BRANCH (*SALA DE LO CRIMINAL*).

President (*presidente*), D. Raymundo Melliza. Associate justices (*magistrados*), D. Ambrosio Rianzares, D. Julio Llorente, Maj. R. W. Young, Utah Volunteer Light Artillery, Capt. W. E. Birkhimer, Third U. S. Artillery.

#### ATTORNEYS (*MINISTERIO FISCAL*).

Attorney of the supreme court (*fiscal de la audiencia territorial*), D. Florentino Torres.

Assistant attorney (*teniente fiscal*), D. Dionisio Chanco.

The appointment of subordinate officials of this court will be announced later.

IV. The supreme court as above constituted will meet upon the call of its president at the earliest practical date for the purpose of organization and for the formulation of such recommendations relating to its procedure under United States authority as may be deemed by it advisable.

The officers herein named and all others who may be appointed hereafter to act in any capacity in connection with the administration of courts of justice in these islands will, before entering upon the discharge of their official duties, subscribe and take the following

#### OATH OF OFFICE.

I, ———, having been appointed ——— in the Philippine Islands, recognize and accept the supreme authority of the United States of America. And I do solemnly swear that I will maintain good faith and fidelity to that Government; that I will obey the existing laws which rule in the Philippine Islands, as well as the legal orders and decrees of the duly constituted government therein; that I impose upon myself this voluntary obligation without any mental reservation or purpose of evasion, and will well and faithfully discharge the duties of the office upon which I am about to enter. So help me God.

The prescribed oath may be administered by the judge of the provost court of Manila, or by such other officers as may be designated for that purpose by proper authority.

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

GENERAL ORDERS, }  
No. 20. }

OFFICE U. S. MILITARY GOVERNOR IN THE  
PHILIPPINE ISLANDS,  
*Manila, P. I., June 5, 1899.*

The courts of first instance of the province of Manila and the courts of the peace heretofore held in the city of Manila, P. I., are hereby reestablished and will exercise the jurisdiction, civil and criminal, possessed by them prior to August 13, 1898, in so far as compatible with the supremacy of the United States in the Philippine Islands and the exercise of military government therein, and will administer the laws recognized as continuing in force by proclamation from these headquarters dated August 11, 1898, except in so far as these laws have been, or hereafter may be, modified by authority of the United States.

The division of the province of Manila into the four judicial districts of Binondo, Tondo, Quiapo, and Intramuros, as such districts existed prior to August 13, 1898, is continued. The territorial jurisdiction of the justice of the peace in each of these districts shall be coextensive with that of the court of first instance therein.

The following appointments are announced for courts of first instance:

#### DISTRICT OF BINONDO.

Judge, D. Antonio Majarreis; district attorney, D. Perfecto Gabriel.

#### DISTRICT OF TONDO.

Judge, D. Basilio Regalado Mapa; district attorney, D. Jose Ner.

#### DISTRICT OF QUIAPO.

Judge, D. Hipolito Magsalin; district attorney, D. Vicente Rodriguez.

#### DISTRICT OF INTRAMUROS.

Judge, D. Jose Baza Enriquez; district attorney, D. Lucio Villarreal.  
The following for the justice courts:

#### DISTRICT OF BINONDO.

Justice of the peace, D. Jose M. Memije; substitute, D. Ramon Manalac Alberto.

#### DISTRICT OF TONDO.

Justice of the peace, D. Pedro Ricafort; substitute, D. Ignacio Ver de la Cruz.

#### DISTRICT OF QUIAPO.

Justice of the peace, D. Martiniano Veloso; substitute, D. Claudio Gabriel.

#### DISTRICT OF INTRAMUROS.

Justice of the peace, D. Jose Martinez Quintero; substitute, D. Jose del Castillo.  
The following appointments in the supreme court of the Philippine Islands are hereby announced:

Secretary of civil branch, D. Roman Espiritu.

Secretary of criminal branch, D. Ramon Fernandez.

Assistant attorneys, D. Tomas G. Del Rosario, D. Antonio Constantino.

Secretary of the fiscalia, D. Bartolome Revilla.

The secretaries of the court above appointed shall receipt to Lieut. Col. E. H. Crowder, judge-advocate, U. S. V., for records and property pertaining to their respective branches of the court.

The division of the city and province of Manila into two districts for the purpose of registering titles to property, as such districts existed prior to August 13, 1898, is confirmed, and the following appointments of registrars for the same announced:

Registrar for the north district, D. Simplicio del Rosario.

Registrar for the south district, D. Francisco Ortigas.

By command of Major-General Otis:

THOMAS H. BARRY.

*Assistant Adjutant-General.*

GENERAL ORDERS, }  
No. 22. }

OFFICE U. S. MILITARY GOVERNOR IN THE  
PHILIPPINE ISLANDS,  
Manila, P. I., June 17, 1899.

I. The supreme court of the Philippine Islands and the courts of first instance and of the peace for the province of Manila, reestablished in General Orders Nos. 20 and 21, current series, this office, are announced as open and in the exercise of their jurisdiction, civil and criminal, on and after Wednesday, June 21, 1899. The sessions of the supreme court will be held in the building known as the "audencia;" those of the courts of first instance and of the peace in the building known as the "Casa de la Moneda," Intramuros.

II. The jurisdiction of the courts specified in Paragraph I of this order, and of other civil courts which may hereafter be reestablished, shall not extend to and include crimes and offenses, committed by either citizens of or persons sojourning within the Philippine Islands, which are prejudicial to military administration and discipline, except by authority specially conferred by the military governor. Jurisdiction to try and award punishment in the class of cases designated remains vested in provost courts, courts-martial, or military commissions.

By command of Major-General Otis:

THOMAS H. BARRY,

*Assistant Adjutant-General.*

These orders were followed by others abolishing useless offices and methods of procedure, prescribing rules under which attorneys could be admitted to practice, in putting in force an amended notarial law, and announcing the appointment of notaries and other court officers. The court of the audencia took up at once unfinished business and the hearing and deciding of appeal civil causes. It has worked industriously and conscientiously under the able leadership of the president, and I doubt if any former Philippine tribunal has ever displayed equal legal ability. Some friction attended the running of the minor courts, which has been greatly reduced and has about ceased under special provisions of orders issued to meet varying conditions. The jurisdiction and punishing power of the superior provost court has been extended to meet cases of fraud involving the public revenue. All of these tribunals have succeeded in accomplishing the objects for which they were established beyond my expectation, and will, I am convinced, lay the foundation upon which to build an able and satisfactory judiciary for the islands when peace shall succeed war.

Two of the three civilian members of the so-called peace commission, which was appointed early in January, arrived on March 5, and the third, Colonel Denby, on April 2, two days after our troops had entered the insurgent capital of Malolos. The first meeting was held on March 20, when an organization was effected and its presiding officer, President Schurman, was requested to prepare an address to the Filipino people, to be issued as a proclamation, expressive of the desires and intentions of the United States Government in taking control of the islands. This he did, and the paper which he subsequently presented was pronounced excellent in tone and terms and most admirably indicative of the liberal and humane policy which it was understood by all that the United States intended to adopt. It was unanimously decided to print, publish, post, and disseminate as much as possible

among the inhabitants under insurgent domination this address, printing the same in the English, Spanish, and Tagalo languages. This was done, but scarcely had it been posted in Manila twenty-four hours before it was so torn and mutilated as to be unrecognizable. It suffered the same fate as the proclamation of January 4, set out in pages 113 and 114 of this report; but it produced a marked beneficial influence on the people, especially those outside our lines, as it carried with it a conviction of the United States' intentions, on account of the source from which it emanated, it being an expression from a committee of gentlemen specially appointed to proclaim the policy which the United States would pursue.

So pernicious to insurgent interests was its effect that Aguinaldo or his officers took measures to repress it wherever it was possible for them to do so. It is still the subject of discussion, and insurgents of influence have recently expressed a willingness to accept its terms and abide by its promises could they be assured that Congress would redeem them. This commission will probably very soon report its proceedings, investigations, conclusions, and recommendations, if it has not already done so. Though a member, I found it impossible to attend many of its sessions, and am ignorant of the scope or particulars of its labors. Its members, especially Colonel Denby and Professor Worcester, who remained here until their very recent recall, were of great assistance in strengthening the confidence of our native friends in the promises and good intentions of the United States with regard to the country, and aided me in many ways by counsel and by their investigations of practical subjects which were presented for determination.

The shipment of Spanish prisoners of war was taken up in earnest as soon as the ratification of the Paris treaty was officially communicated; also the settlement of property rights between Spain and the United States, upon which extended argument was indulged in as to the meaning of treaty provisions which must determine ownership. There were also involved the rights of many private citizens who had invested in undelivered Spanish bonds of a late issue, which had been retained in the treasury or who had deposited with the Spanish Government money or securities for the performance of obligations assumed. Under a mutual agreement boards of officers to consider all questions of disagreement or on which antagonistic opinion was held were appointed by the resident authorities of the two nations interested, Spain also appointing a special liquidation committee of its citizens to present her interests in matters of a strictly civil nature. The labors of these boards were very great and extended over a period of several months. The United States board was convoked in the following order:

A board of officers, to consist of Maj. Charles McClure, chief paymaster of the department; Maj. C. U. Gantenbein, Second Oregon, U. S. V., and Second Lieut. M. A. Hildreth, First North Dakota, U. S. V., is hereby appointed to meet and confer with a committee named by his excellency Division General Diego de los Rios y Nicalau, Spanish army, for the purpose, as stated, of clearing the accounts of the Spanish Government in the Philippines. The board will determine upon some definite course of procedure by which the Spanish committee can have access to all records and documents now in possession of the United States authorities which it may desire to consult, and will arrange therefor. No property or records can be delivered until the proposed treaty receives validity through ratification, and the board will continue its sessions anticipating that event when definite instructions looking to a settlement of public affairs, judicial and executive, can be conveyed. The board will ascertain fully the desires of the committee as to the nature and full extent of its desired action and give it every possible facility consistent with the present status of affairs.

Membership in this board was frequently changed, owing to emergencies of service. All of the original members were sooner or later relieved and substitution made, Lieutenant-Colonel Miley taking the place of Major McClure, and the former, an officer of very marked ability, who died in September, was succeeded by Lieutenant-Colonel Hull, of the judge-advocate's department, through resulting seniority. The duties of the board are approaching completion, and probably it can be dissolved soon. It was found necessary to give it broad latitude of action, and on April 22 it was empowered to administer oaths and take testimony in matters over which it was authorized to exercise jurisdiction, either by way of investigation or arbitrament. Questions of property rights upon which agreements could not be reached were referred for instructions. The more important of these were submitted to Washington for authoritative decision, and a construction of the meaning of the treaty provisions was obtained, which served as a rule for future guidance. The accompanying brief report of this board shows the character and general scope of its action, with its conclusions, but not the varied details of proceedings, which were exhaustive on all subjects presented for consideration.

At an early date there were presented claims of corporations which had obtained and were operating under Spanish concessions, for payment for public services, losses accruing for lack of protection as promised in those concessions, or for damages to property inflicted by both insurgents and United States representatives; also very many claims from business houses and private individuals for destruction, loss, damage, or retention of their property, whether occasioned by the insurgents or our troops. Minor ones of undoubted validity were adjusted and paid from public funds, but those in which doubtful questions of legal obligations arose have been held in abeyance. To give attention to all claims presented it was finally necessary to organize a board of claims, and the following order was issued:

SPECIAL ORDERS, }  
No. 3. }

OFFICE U. S. MILITARY GOVERNOR IN THE  
PHILIPPINE ISLANDS,  
*Manila, P. I., April 18, 1899.*

A board of officers is hereby appointed to consider and pass upon such claims against the United States Government, preferred by parties resident or otherwise in the Philippine Islands, and arising by reason of United States occupation, as may be submitted to it from this office for investigation and opinion. It will be guided in its decisions by the rules of interpretation adopted by this office in its past consideration of demands of this nature, in so far as they be applicable to circumstances and conditions. The board will meet to-morrow, the 19th instant, at 10 o'clock a. m., or as soon thereafter as practicable, at the office of the judge-advocate of the Department of the Pacific, for the purpose of organization and fixing upon methods of procedure to govern its deliberations; and thereafter it will hold its sessions at such times and places as the presiding officer may announce.

*Detail for the board.*—Lieut. Col. E. H. Crowder, judge-advocate, U. S. V.; Maj. C. U. Gantenbein, Second Oregon Volunteer Infantry; Capt. H. A. Greene, Twentieth United States Infantry; Capt. J. G. Ballance, Twenty-second United States Infantry.

By command of Major-General Otis:

THOMAS H. BARRY,  
*Assistant Adjutant-General.*

Membership in this board has been changed occasionally as circumstances compelled, but the senior member is still serving thereon. It formulated and published rules to govern its proceedings and for the information of all persons who desired to submit claims and by which they were to be guided in the preparation and submission of the same.



Sixty-four claims, aggregating \$605,000 (Mexican money), were received from residents of southern Luzon and for the most part Manila, and mostly involving the burning and looting of abandoned houses in the battles of February 5 and 22 at Manila. Few of this character appear to possess merit and are poorly sustained by proof of facts. Several asking for the return of property which was captured in the enemy's country or which was seized by our men for convenience of transportation have been adjusted without difficulty. The destruction of private property as a necessary incident of war in driving the insurgents from their defensive positions in the suburbs of Manila is the question involved in passing upon most of these demands. Twenty-five claims, aggregating \$1,338,116 (Mexican), have been received from Iloilo. They are defectively and carelessly drawn and very indefinite as to details. Only in a few cases is proof of ownership of property submitted. All but two call for damages to property incident to the forcible occupation of the city by our troops on February 11 last, when the insurgents upon retiring burned a considerable portion of it. One of the two exceptions is a claim for \$6,000 presented by a Spaniard through the consular office, because of the seizure of his printing establishment after abandonment, wherein was printed a scurrilous newspaper, violently incendiary and abusive of the United States while our troops occupied Iloilo Harbor, before the seizure of the city. The other is also a demand for \$6,000 from a Spaniard for the destruction of his boat and cargo by the U. S. S. *Bennington* while believed to be engaged in illicit trade. Mostly all others of these claims are based on the alleged responsibility of the United States to pay damages to the several owners of property destroyed in the Iloilo fire set by the insurgents upon forced evacuation, because of the fact that the United States began the attack on the city before the expiration of time announced in the notice to residents that it would commence, thus depriving them of the opportunity to remove or place their property which was destroyed in better condition for preservation. The action of the Army and Navy, which constitutes the chief argument of the claimants for the legal validity of their demands, has been set out on pages 175-177 of this report. All but two of these claimants are subjects of foreign countries.

Under War Department instructions giving protection to the owners of patents and copyrights issued by the United States, the following directions were published:

I. The offices of patents, of copyrights, and of trade-marks, heretofore administered as separate bureau of the "Direccion-General de Administracion Civil," are hereby consolidated into a single office, to be known as the Office of Patents, Copyrights, and Trade-marks, and placed in charge of Capt. George P. Ahern, Ninth U. S. Infantry, who will receipt to the Spanish authorities for all records, documents, and property pertaining thereto.

II. The duties enjoined in Circular No. 12, division of customs and insular affairs, in reference to the filing here of patents and trade-marks issued in the United States and duly registered in the United States Patent Office, and all duties which, under the laws relating to patents, copyrights, and trade-marks applicable to the Philippines, pertained to the "Director-General de Administracion Civil" and his subordinates, are hereby devolved upon the officer in charge of the office of patents, copyrights, and trade-marks above designated; all matters of administration arising in that office which, under those laws, required the action of any higher authority than the "Director-General de Administracion Civil" will be forwarded for consideration and action to the office of the United States military governor in the Philippines.

III. So much of Article 27 of the royal decree of October 26, 1888, regulating the concession and use of trade-marks, as requires reference to the Real Sociedad

Economica of industrial marks, designs, or models presented for registration, for investigation and report as to whether such marks, designs, or models are already in use or are the property of third persons, is hereby suspended.

The business of this bureau has been active, requiring the work of an interpreter and two clerks under the constant supervision of Captain Ahern. It required him to collect and file all former Spanish records obtainable on this subject, some of which were kept in Spain, and now the office is running smoothly comparatively. Every mail from the United States brings many certified patents for file, and the exacted fee of \$1 for filing more than pays the office expenses.

In Manila and a few other cities where our troops are stationed to give inhabitants protection schools have been established. Parents and children are eager for primary-school instruction and are very desirous to acquire a speaking knowledge of the English language. In the city of Manila more than 5,000 children are attending these schools, which are maintained at a cost of nearly 10,000 Mexican dollars a month. Instructors are drawn from the former Spanish and Filipino teachers, augmented by Americans, some of whom are discharged men from volunteer organizations and some from those who came to the islands on account of individual desire. The superintendent is a former soldier who had considerable experience in this profession in the United States. Many applications for positions as teachers are received through mailed communications and from persons who, if the references furnished can be relied on, would render valuable service here, but it will require time to firmly establish this educational plant. The higher education which the islands have hitherto enjoyed, as well as that of a minor character, has been entirely under the control of the religious orders and has centered in Manila. The Dominican order, rich in landed estates acquired through a series of years, inaugurating its educational policy under royal assistance, money contributions, and decrees when the educational field was entirely in the possession of the clergy, and seizing on by degrees to the educational institutions and scientific schools organized by the Jesuits under royal protection and conducted with funds from individual testators after that order had been driven from the islands, built up the University of Manila and gradually incorporated in it these Jesuit foundations. Great effort was made to sever them from Dominican authority by recent Spanish statesmen of advanced ideas, but without success, and now the leading Filipinos demand that severance and a return to State supervision. Much time and labor in historical research has been expended by Lieutenant-Colonel Crowder of the law department in the investigation of these matters, and his able reports of past and present conditions and legal conclusions derived therefrom has so presented the subject that radical action can be taken in some instances and has been determined upon. The Archbishop of Manila, who, I am informed, is a member of the Dominican order, has served parole notice that he will strenuously oppose such action and has been invited to submit his protest at an early date.

In our last allusion to the Sulu Archipelago it was stated (see page 222) that the occupation of Jolo by our troops on May 19 and the friendly relations established between them and the representative Moros placed affairs there in a very satisfactory condition for future negotiations, which were conducted by Brigadier-General Bates. The islands of the archipelago, that of Basilan, and those of Palauan and Balabac, were localities of concern. In Palauan, where Spain maintained a resident governor and to which she had transported some of

her state criminals, the Tagalo had succeeded. The Spanish governor had been murdered and all prisoners released. At Balabac a very important light-house had been established, which was necessary to the safe navigation of those waters. At Basilan a naval station of some importance had been built up. Our Navy looked after all matters connected with the Palauan Islands in so far as keeping affairs there in check were concerned; reestablished the light at Balabac, where it had dispersed and driven off with loss an attacking party of natives and where it keeps a small detachment of men, and has closely watched Basilan and the near city of Zamboanga. Conditions may be inferred from instructions given on July 3 and 11 to General Bates, who was sent to the Sulu Archipelago to propose terms of agreement to the Moros, who had become very importunate to be informed of the meaning of our occupation of the islands, and to explain United States intentions. They are as follows:

OFFICE MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS.

*Manila, P. I., July 3, 1895.*

Gen. J. C. BATES, U. S. V.,

*Manila, P. I.*

GENERAL: In compliance with orders this day issued directing you to proceed to the Jolo Archipelago, there to execute specific instructions to be communicated by the department commander, you will proceed as soon as practicable to the United States military station of Jolo, on the island of that name, and there place yourself in communication with the Sultan of Jolo, who is believed to be at Siassi, where he was sojourning when the last information concerning him was received.

You are hereby appointed and constituted an agent on the part of the United States military authorities in the Philippines to discuss, enter into negotiations, and perfect, if possible, a written agreement of character and scope as herein-after explained, with the Sultan, which upon approval at these headquarters and confirmation by the supreme executive authority of the United States, will prescribe and control the future relations, social and political, between the United States Government and the inhabitants of the archipelago. The written memoranda herewith furnished you, which mention cursorily and very briefly the past political status and recent history of those people in so far as their domestic and political relations with other nations are concerned: which present suggestions and recommendations, contained in the remarks and speculations of persons who have been personally acquainted with them, as to the proper policy of control or supervision which should be adopted by the United States in its dealings with their native authorities: which give the extent and results of contact and relationship with them thus far developed on the part of the United States through its military agency established in the port of Jolo, will enable you to understand the character and difficulties of the labor with which you are charged.

By reference to these memoranda you will perceive that in your discussions with the Sultan and his dates the question of sovereignty will be forced to the front, and they will undoubtedly request an expression of opinion thereon, as they seem to be impressed apparently with the belief that the recent Spanish authorities with whom they were in relationship have transferred full sovereignty of the islands to them. The question is one which admits of easy solution, legally considered, since by the terms of treaties or protocols between Spain and European powers (those referred to in the memoranda) Spanish sovereignty over the archipelago is conceded. Under the agreement between Spain and the Sultan and dates of July, 1878, the latter acknowledged Spanish sovereignty in the entire archipelago of Jolo and agreed to become loyal Spanish subjects, receiving in consideration certain specific payments in money. The sovereignty of Spain, thus established and acknowledged by all parties in interest, was transferred to the United States by the Paris treaty. The United States has succeeded to all the rights which Spain held in the archipelago, and its sovereignty over the same is an established fact. But the inquiry arises as to the extent to which that sovereignty can be applied under the agreement of 1878 with the Moros. Sovereignty, of course, implies full power of political control, but it is not incompatible with concessionary grants between sovereign and subject. The Moros acknowledged through their accepted chiefs Spanish sovereignty and their subjection thereto, and that nation in turn conferred upon their chiefs certain powers of supervision

over them and their affairs. The kingly prerogatives of Spain, thus abridged by solemn concession, have descended to the United States, and conditions existing at the time of transfer should remain. The Moros are entitled to enjoy the identical privileges which they possessed at the time of transfer, and to continue to enjoy them until abridged or modified by future mutual agreement between them and the United States, to which they owe loyalty, unless it becomes necessary to invoke the exercise of the supreme powers of sovereignty to meet emergencies. You will therefore acquaint yourself thoroughly with the terms of the agreement of 1878, and take them as a basis for your directed negotiations.

Possibly you will discover that the Sultan and datos are laboring under the mistaken impression that Spain, upon withdrawing recently her military forces from the islands, reconveyed sovereignty to them. This claim on their part is mentioned in the memorandum citing the action of the United States troops at Jolo, and may be seriously entertained by them, because of the reported Spanish action in placing them in possession of Siassi, accompanied by promises to likewise turn over Jolo. If they seriously entertain such an illusion, it will require tact and adroitness to dispel it, and a discussion of the United States benevolent intentions, and its wish to establish friendly relations with them in order to carry out those intentions, should precede any decided attempt at correction.

The territorial extent of the Jolo Archipelago, as authoritatively established, is set out in the accompanying memoranda in all essential particulars, except as to the island of Basilan, where Spain maintained an important naval station, which is still in existence, though not yet in United States actual possession. You will make inquiry with regard to this island and ascertain if the Sultan claims any authority over it, conceding nothing, however, on the point as to right of absolute control on the part of the United States. The naval station is closely connected with Zamboanga, over which and the adjacent country Spain exercised complete supervision. The Sultan and datos have exacted tribute from Cagayan-Jolo and Balabac, and, in fact, from southern Palauan; also, when possible, from other islands which Spain owned absolutely for more than three hundred years. Hence, the fact of taking tribute is not proof of a legal right to do so. Palauan and Balabac are not considered to be portions of the archipelago, though it may not be policy to attempt to determine with the Sultan, at present, any question of ownership which may arise in discussion. Spain maintained a governor in Palauan, and shore accessories, such as light-house, etc., with some form of supervisory government in Balabac. The United States demands with regard to these islands will be announced when the result of practical investigation now being pursued is ascertained. It may be well, therefore, to avoid presenting this matter to the Sultan or his representatives in these directed preliminary negotiations, and should he advance it, policy dictates that time should be requested to arrive at a knowledge of facts.

It is greatly desired by the United States for the sake of the individual improvement and social advancement of the Moros, and for the development of the trade and agriculture of the islands in their interests, also for the welfare of both the United States and Moros, that mutual friendly and well-defined relations be established. If the Sultan can be made to give credit to and fully understand the intentions of the United States, the desired result can be accomplished. The United States will accept the obligations of Spain under the agreement of 1878 in the matter of money annuities, and in proof of sincerity you will offer as a present to the Sultan and datos \$10,000, Mexican, with which you will be supplied before leaving for Jolo—the same to be handed over to them, respectively, in amounts agreeing with the ratio of payments made to them by the Spanish Government for their declared services. From the 1st of September next, and thereafter, the United States will pay to them regularly the sums promised by Spain in its agreement of 1878, and in any subsequent promises of which proof can be furnished.

The United States will promise, in return for the concessions to be hereinafter mentioned, not to interfere with, but to protect the Moros in the free exercise of their religion and customs, social and domestic, and will respect the rights and dignities of the Sultan and his advisers. It promises not to interfere in their affairs of internal economy and political administration further than to respond to their requests for assistance or to render supervisory action through advice and instruction in those special features of administration connected with the development of trade and agricultural resources, and the methods of conducting and employing the same for the improvement and efficiency of government. It agrees to insure to the Sultan and his people the enjoyment of these rights and privileges against all foreign nations, and will declare all trade of the Sultan and his people with any portion of the Philippine Islands conducted under the American flag

free, unlimited, and undutiable. It demands, of course, the right to exercise control over the places within its actual occupation.

In return for the promised assurances the Sultan and his chiefs, acknowledging the sovereignty of the United States, should stipulate to permit that Government to occupy and control such points in the islands as the execution of the obligations which it assumes make necessary, whether for naval or military operations against foreign aggression or to disperse attempted piratical excursions. They will agree to accept and fly on all occasions, and continuously, the American flag as the emblem and proof of United States sovereignty. They should promise to give a loyal support to the United States to maintain the integrity and peace of the archipelago, not to permit acts of piracy by their people on its waters, and to assist the United States Government to suppress and abolish this crime by whomsoever attempts to commit it, whether American, inhabitant, or alien. They should agree to deliver to the United States authorities for trial and punishment all persons, other than those of their own people, whom they arrest on the charge of committing crimes or misdemeanors. They should stipulate to prohibit the purchase by or the delivery to their people of rifles or war materials, as the possession of them has a tendency to stir up strife among their separate communities and to destroy the peace of the islands, which, for the welfare of all parties concerned, should be maintained.

Should the Sultan and his datus request assistance by way of instruction, through competent American representatives, to improve port regulations and conveniences in the interest of commerce or to build up agriculture and increase merchantable products in the islands, or to instruct the rising generation of Moros in industrial and mechanical pursuits through the medium of schools or practical appliances, the United States will gladly respond. It will endeavor to select the proper individuals to go among and associate with them to impart constant valuable information in all such matters—the necessities of which for the growth in riches and the well being of all inhabitants of the islands should be impressed upon the Sultan and his principal advisers.

All these and other subjects of minor significance, which will suggest themselves to you in the progress of the negotiations, when conditions will be better understood, are for your consideration and appropriate action.

Any agreement which you may be able to effect will be of force only upon approval and ratification by superior authority, and this must be distinctly understood and so stated in the instrument. The agreement will be subject to future modifications by the mutual consent of all parties in interest.

Very respectfully, your obedient servant,

E. S. OTIS,

*Major-General, U. S. V., Military Governor.*

OFFICE U. S. MILITARY GOVERNOR IN THE PHILIPPINE ISLANDS,

*Manila, P. I., July 11, 1899.*

Gen. J. C. BATES, U. S. V., *Manila, P. I.:*

GENERAL: Referring to instructions of the 3d instant in the matter of the directed conference having in view the execution of an agreement with the Sultan of Jolo, it is considered expedient to modify slightly, in certain particulars, those instructions and to state somewhat more specifically objects which it is desired to attain.

By an investigation of the records in the Manila archives to discover the meaning and extent of certain stipulations in the agreements made from time to time by and between the Spanish authorities and the Sultan, which establish conditions of trade in the Archipelago and announce the status of the Sultan, it is discovered that these conditions and status are very varying, and it can not be ascertained. In fact, it is a conclusion to be drawn from the records, that Spain never announced nor conceived a definite, fixed policy of control over the archipelago which looked to improvement and permanency. Its frequent recorded actions seem to have been the result of a desire to temporarily meet difficulties growing out of some strained relationship with the Moros existing at the time, accompanied by the evident fixed purpose to maintain a sufficient number of troops in the archipelago to show to Europe that occupation in fact which would demonstrate Spanish sovereignty.

By no other conclusion can the varying stipulations of executed agreements between Spain and the Moros be accounted for. They are not explained in any recorded correspondence, and conditions existing at the dates they were entered into warrant the belief at which we have arrived. It will be seen that the Sultan

and his datus are at one time given all the revenues; that Spain permits the Sultan to collect all revenues at ports in actual Spanish occupation, notwithstanding its treaties with European powers permit it to levy duties at such ports, and that Spain's entire action deprives it of money receipts, but imposes upon her continual heavy expenditures for only simple nominal occupation of a few ports. Neither has Spain ever attempted to lay the foundation for any reforms looking to the future collection of revenues to meet any of the outlay, whether by the development of trade or improvement of natural resources. The pursuit of such a policy, if policy it can be called, is suicidal to the interests of the supervising country and the interests of the people supervised. The United States should seek to adopt a policy which, if devoid of immediate national benefit, promises beneficial results both in the matter of revenue (that is, revenue to meet the necessary outlaying expenditures) and at the same time will be attended by the improvement of the educational and social conditions of the inhabitants and the development of their country in trade and agricultural resources—that is, a policy which will be mutually advantageous to all parties concerned.

It is therefore important to make somewhat more specific the former instructions and to modify them in certain particulars, as follows:

It is quite important that the United States shall occupy the principal distributing centers of trade, to build up and develop a revenue and to supervise that development. This the Spanish treaties with foreign powers permit. Siassi should be occupied by our troops at no distant day and two or three other important points. This necessity you will keep in view in your negotiations and will show the Sultan the blessings which would be conferred upon his people by intelligent establishment and development.

In declaring "all trade of the Sultan and his people with any portion of the Philippine Islands, conducted under the American flag, free, unlimited, and undisturbable," care must be taken to guard against the possibility of the introduction of foreign commerce into the archipelago and thence into other Philippine ports without paying the prescribed duties. It is only the products of the archipelago which can have the benefits of interisland commerce.

While the Sultan might be supported and may receive revenue from certain avenues, pearl fisheries, etc., which he is now enjoying, there should be some understanding as to future revenues to be derived from a newly constructed and increasing trade in foreign products. Negotiations should look to the establishment of a financial and commercial system based upon modern methods, which, while not destructively antagonistic to present conditions, can be developed upon lines consistent with modern practices.

Very respectfully, your obedient servant,

E. S. OTIS,

*Major-General, U. S. A., Military Governor.*

General Bates had a difficult task to perform and executed it with tact and ability. While a number of the principal datus were favorably inclined, the Sultan, not responding to invitations, kept aloof and was represented by his secretary, until finally, the general appearing at Maibung, the Moro capital, a personal interview was secured. He being also Sultan of North Borneo and receiving large annual payments from the North Borneo Trading Company, expected like returns from the United States, and seemed more anxious to obtain personal revenue than benefits for his people. Securing the port of Siassi from the Spaniards, establishing there his guards and police, he had received customs revenues from the Sandaken trade which he was loath to surrender. Negotiations continued well into August, and finally, after long conferences, an agreement was reached by which the United States secured much more liberal terms than the Spaniards were ever able to obtain. Full reports of the conferences have been duly forwarded, together with the agreement proposed for authoritative action. It is believed that if peace can be maintained a trade can be built up which will prove highly beneficial to both the United States and the Moro people and will be the means of opening avenues through which a more advanced civilization can be developed in these islands.

The population of the Sulu Archipelago is reckoned at 120,000, mostly domiciled in the island of Jolo, and numbers 20,000 fighting men. Hostilities would be unfortunate for all parties concerned, would be very expensive to the United States in men and money, and destructive of any advancement of the Moros for years to come. Spain's long struggle with these people and their dislike for the former dominant race in the Philippines, inherited, it would seem, by each rising generation during three centuries, furnishes an instructive lesson. Under the pending agreement General Bates, assisted by the officers of the Navy, quietly placed garrisons of one company each at Siassi and at Bongao, on the Tawai Tawai group of islands, where they were well received by the friendly natives. With the approval of the agreement, the only difficulty to a satisfactory settlement of the Sulu affairs will arise from discontent on the part of the Sultan personally because of a supposed decrease in anticipated revenues or the machinations of the insurgents of Mindanao, who are endeavoring to create a feeling of distrust and hostility among the natives against the United States troops.

The Sultan's government is one of perfect despotism, in form at least, as all political power is supposed to center in his person; but this does not prevent frequent outbreaks on the part of the *datos*, who frequently revolt, and are now, in two or three instances, in declared enmity. All Moros, however, profess the Mohammedan religion, introduced in the fourteenth century, and the sacredness of the person of the Sultan is therefore a tenet of faith. This fact would prevent any marked success by a *dato* in attempting to secure supreme power. Spain endeavored to supplant the Sultan with one of his most enterprising chiefs and signally failed. Peonage or a species of serfdom enters largely into the social and domestic arrangements and a *dato's* following or clan submits itself without protest to his arbitrary will. The Moro political fabric bears resemblance to the state of feudal times—the Sultan exercising supreme power by divine right, and his *datos*, like the feudal lords, supporting or opposing him at will, and by force of arms occasionally, but not to the extent of dethronement, as that would be too great a sacrilege for a Mohammedan people to seek to consummate. The United States must accept these people as they are, and endeavor to ameliorate their condition by degrees, and the best means to insure success appears to be through the cultivation of friendly sentiments and the introduction of trade and commerce upon approved business methods. To undertake forcible radical action for the amelioration of conditions or to so interfere with their domestic relations as to arouse their suspicions and distrust would be attended with unfortunate consequences.

The experience of the past year has conclusively demonstrated that the labors demanded to organize, supply, command, and exchange an army actively engaged in hostilities are small in comparison to those which are required to supervise the business, social and political interests, and the individual rights of several millions of people without established government or any existing rules of action excepting such as may be imposed by military control. In the Philippines chaos, in so far as a civil administration of public affairs is concerned, followed the overthrow of the despotism of Spain and was succeeded throughout the islands by the rule of the sword, which has recently been directed by a few unprincipled Tagalos, who have retained power thus far, although it is gradually passing from their grasp, by deceiving the ignorant masses with the assertion that the United States

intended to enslave and destroy them, and with the cry for independence and republican government. The experience of the people has taught them that the rule of Spain was mild in comparison with this substituted governing power, and the great majority of them—at least of those who are able to reflect or who have property at stake—desire its destruction. Many are held in subjection by the armed bodies in their midst, and their lives and property would pay the penalty of resistance should they attempt it either by word or act. During this political transition business interests and individual property rights have been in jeopardy. Incorporated companies holding valuable concessions granted by Spain, business houses which have made large money investments for the purpose of conducting trade and commerce in these islands, vested property interests, recently acquired estates by testament and descent and those encumbered by mortgage or embargo, are fruitful sources of continually recurring questions which require able civil administration and the assistance of courts of justice with their auxiliary appliances to properly adjust, but which have been thrust upon the military authorities for determination, together with all matters of a criminal nature involving alleged fraudulent transactions which demand speedy remedial action, as well as offenses of a more serious character. Fortunately the large property interests held by corporations and business houses belong for the most part to Europeans and are to a certain extent respected by the insurgent government through fear of incurring universal civilized condemnation should it destroy or openly appropriate them.

So, also, the foreign element of the population engaged in conducting trade are very largely citizens of strong European governments, whose persons are comparatively secure wherever in the islands they may wish to journey. Hence, it has been possible to carry on trade whenever the interests of the United States or the necessities of the large Philippine population dwelling within the country of our occupation has demanded it. Unfortunately, too, it might be said, this comparative security of person and property incites the commercial classes to business activity and a desire for insurgent trade incompatible with war conditions, even though contraband does not materially enter; has occasioned voluminous correspondence and incessant applications for trade permits, necessitated constant watchfulness on the part of the army, and especially of the navy, and has required at times needed unpleasant consequent action. The volume of trade, however, for the year ending August 31, has been quite large, and merchants have suffered much less than is generally supposed. Of the three staple articles of the islands, hemp, tobacco, and sugar, only the latter shows a very marked depreciation in amounts secured and exported. About the same quantity of hemp has been taken from the shipping ports during the past as in the preceding year, and large exportations of tobacco have been made. There still remains in the islands considerable quantities of both hemp and tobacco, but Aguinaldo a short time since issued what was called a decree, most injurious to his interests, forbidding his Tagalo guards to permit, at the ports where they were stationed, the entrance of any merchant vessel flying the American flag, and as all interisland commerce is carried on under that flag, his decree virtually terminated at all points where his troops are maintained, with the result that the inhabitants are deprived of rice and other necessary articles of food. The decree has caused discontent and suffering and has taken from the insurgents much of their revenue, while it has not affected United States interests nor the inhabitants



within our lines, as they are now well supplied and will soon reap an abundant harvest from their crops, which they have planted since United States protection has been given them.

So unpopular is this decree that the outside inhabitants declare that they will resist its execution should American vessels appear in their harbors, but our experience thus far is that a battalion of Tagalo guards can hold down many large communities of unarmed natives. Merchants, if permitted, would take all the risks of interisland trade notwithstanding this restrictive decree and solemnly contract to suffer all losses attendant upon their venture, which would sooner or later doubtless appear as claims from marine insurance companies; but a wise policy dictates that trade facilities should remain for the present in the condition which Aguinaldo by his decree intended to place them. He has acted under it in one instance only, and then in the case of a vessel anchored in a port of western Luzon and which had sailed before it was known that the decree had been issued. His troops seized the crew and cargo and when the navy went to its relief burned the vessel and fired upon the rescuing party. The return fire of the navy upon the intrenched insurgent troops has been publicly proclaimed from insurgent headquarters as an act of barbarous warfare which should be condemned by all civilized nations.

The customs receipts (a fair index of the volume of trade) for the year ending August 31 were \$7,783,000, currency of the country—a larger amount than ever before received in an equal portion of time, and this while we held the port of Iloilo for only six and that of Cebu for but five months of the period.

In the matter of the public revenue, the United States has collected less than one-half of the greatest total amount which Spain has drawn from the islands in a corresponding length of time, for the reason that the extent of our occupation of territory has been very limited and because some of its former most prolific sources of taxation have been ignored. The largest yearly amount which Spain ever received was a little less than \$17,500,000, of which a little more than one-third was derived from customs, one-quarter from the sale of "cedulas personales," or certificates of personal identity, which every inhabitant was obliged to purchase, and about \$1,200,000 from lotteries and gambling and the opium and cock-fighting contractors. The \$5,500,000 which Spain received from cedulas, licensed gambling, and contracts which the United States courts would hold void on grounds of public policy, would in any event, even if all the islands had been pacified and occupied, have been lost to us, as no attempts at collection would have been made.

However, the cedula tax might have yielded something, for although this is the most hated by the natives of all taxes formerly imposed upon them, they desire the cedula, as this simple means of identity is valuable to them in conducting business and when journeying through the islands. In response to the expressed desire of the inhabitants of Manila for this ticket, it was given on personal application at a nominal sum sufficient to defray the cost of issuance, and over sixty thousand of them were distributed in a short space of time from the Manila office of internal revenue. The annual revenue of nearly a million of dollars received by Spain from convict labor, exclusive taxes on Chinese residents, sales of public lands, profits of the mint, and local consumption tobacco taxes could not be collected by the United States. So, also, the internal-revenue collections on real estate, industries, and stamped paper have been confined to Manila

and Iloilo, and the yield therefrom has been but a fraction of the receipts which our control of all the islands would have insured. The internal-revenue receipts during a year of occupation of Manila, or from August 18, 1898, were \$577,748. The grand total of all public money receipts from every source for the year ending August 19, 1899, one year from the date the United States took possession of the public offices in Manila (August, 1898, yielding very small returns), amounted to \$8,239,435, of which \$7,790,692 were from customs alone. Larger returns from legitimate sources might have been obtained, but it took time to adjust the machinery for collection, and long-existing fraudulent practices have been indulged in. Heavy punishments have been meted out when offenses have been detected, and the labor to improve the civil service is still being diligently prosecuted.

Spain's system of taxation was very ingeniously devised in order to obtain all revenue possible to cover the expenditures of administering the islands, but I believe that every annual budget showed a deficit. With the restoration of peace and active business conditions, the development of natural resources, the introduction of machinery and practical business enterprises, the construction of railroads and highways, and the encouragement of the people in profitable labor, I am convinced that trade and commerce would be greatly increased and the amount of revenue doubled in a short period of time, without imposing the burdens which were complained of during Spanish supremacy. Even in this season of war commerce has increased. For the five and one-half months ending with December last, 77 foreign and 260 coast vessels entered and 80 foreign and 251 coast vessels cleared from our ports, making a total of 668 vessels, with a total tonnage of 657,740 tons; while for the six months ending with June last, 155 foreign and 367 coast vessels entered and 163 foreign and 409 coast vessels cleared, making a total of 1,049 and having a tonnage of 133,935 tons.

The most of the revenue received has been expended, both for war and civil purposes, by a few selected disbursing officers, and every dollar has been accounted for. There remained on August 31 \$1,364,085.39, nearly one-half of which stood pledged to pay for temporary barracks and hospitals for troops and for a large refrigerating plant to be erected in Manila. All results of action taken in connection with the collection and expenditure of the public revenue from the date of the capitulation of this city to June 30 last, the end of the fiscal year, are shown in the accompanying reports of the collecting and disbursing officers, to which attention is invited.

The present current money of the islands consists of the Filipino dollar, of which 6,000,000 were sent from Spain in 1897, about \$10,000,000 in subsidiary coins, eight or ten millions of Mexican dollars, and \$1,500,000 in bank notes of the Banco Espanol-Filipino.

The former standard money was gold, consisting of the Spanish "onzas" and the \$1, \$2, and \$4 gold pieces minted in Manila. All of these have been driven out of circulation by the cheaper silver currency. The Banco Espanol-Filipino is the only bank which has the power to make paper issue. Under Spanish concession and in return for loans made to that Government, it was granted the privilege of issuing its notes amounting to three times its capital stock of \$1,500,000, and its paper dollar is considered the equivalent of the Mexican silver dollar. The Spanish Government had representation in the management of this bank, and recently the bank invited the United States authorities here to avail itself of this privilege by the appoint-

ment of an accredited agent, which invitation has been declined, as such action might be construed to be an acknowledgment on the part of the United States of its obligation to recognize under treaty promises the validity of the Spanish concession. The War Department has paid out in Manila United States gold currency in considerable quantities, and it is believed that about \$3,000,000 from these disbursements have been hoarded by the inhabitants. The money in circulation, therefore, in the Philippines is less than \$30,000,000 of silver, or the equivalent—a very small sum to transact the volume of business; but then a large share of this trade depends upon credit and the exchange of the country's products, so that comparatively little money is required to conduct it. However, during the yearly periods of greatest exportation money to move the crops becomes very scarce and rates of exchange high. Exchange fluctuations were greater in Spanish times than at present, for in 1878 Spain prohibited by decree the importation of Mexican dollars of a mintage later than the date of the decree except under high duty payments and gave no substitute. This induced smuggling from the foreign Asiatic ports, and the smuggler was paid a handsome profit for the hazard he encountered. The enterprise was brisk until money became plentiful and exchange had again returned to a nominal figure.

When money was in great demand the price of the Mexican dollar was considerably above its Hongkong value in gold and sold in Manila for from 10 to 15 per cent more than its actual value. The currency of the country still fluctuates daily according to the price of silver in the great money markets of the world and has no stable value. This, however, appears to affect very little ordinary business unless purchases of merchandise and services must be paid for in gold, when these fluctuations enter largely into the calculations of profit and loss. The merchant who buys gold in Manila must pay not only the rate of exchange, but the estimated cost of transporting the metal, and if he wishes to convert gold into silver he must pay high exchange rates and the cost of shipment of the Mexican dollar. The public revenue is paid in the currency of the country, as is most expedient, else daily silver fluctuations would necessitate daily difficult calculations upon the gold value of the money offered at the various public offices; but as it is for the most part expended here for services and on local contract purchases the difficulties attending rates of exchange are not serious. The officers and enlisted men of the Army who are paid in gold have been the principal sufferers, as they are obliged to exchange their gold for silver to meet their local payments. The two established banks of the islands other than the Banco Espanol-Filipino, above mentioned, are branches of the Hongkong and Shanghai Banking Corporation and the Chartered Bank of India, Australia, and China. These have been made depositories of the public civil funds and generally make the money exchanges for the Army. For a long time they allowed but two dollars silver for one in gold, but recently have arranged for receiving gold deposits from disbursing officers on account and to make payments thereon in gold. This entire question of the currency requires the mature deliberation of our most eminent monetary authorities.

Of the islands of the Philippines which contain large populations and which furnish valuable products for shipment to foreign marts, which engage largely in trade and in which business interests of importance have been established, the United States have not as yet taken possession of Samar, Leyte, and Mindanao, and none of Panay,

with the exception of its chief city and surroundings. The southern and northern coasts of Luzon, where hemp and tobacco are produced in large quantities, still remain subject to insurgent dictation. When United States occupation of these islands and provinces will be effected depends upon the arrival of troops in sufficient numbers to justify the establishment of permanent garrisons.

Little difficulty attends the act of taking possession of and temporarily holding any section of the country. A column of 3,000 men could march through and successfully contend with any force which the insurgents could place in its route, but they would close in behind it and again prey upon the inhabitants, persecuting without mercy those who had manifested any friendly feeling toward the American troops. The policy of the insurgent authorities has been to arm the bandits of the mountain sections and the natives who have formerly lived on the proceeds of crime. Many of these men have deserted the ranks, and now armed, plunder their countrymen who have property or money without discrimination. If communities could be protected against this source of danger and be assured of protection from the outrages which have been committed by the organized insurgent force, formidable opposition to American supremacy would cease. The inhabitants have confidence in the American troops. Even the insurgent leaders take advantage of the humane and charitable policy which the United States authorities have thus far pursued. They seek to place their families and property in Manila, where a number of the families of the most noted of their chiefs are now living in comfort and luxury, believing, notwithstanding their conduct and offenses, which, under approved rules of law, would subject their families to removal and all their property to confiscation, and which rules it may yet be to our interests to apply, that they can pursue rebellion as long as they desire and in the end escape all punishment. So confident are they of the nature and scope of American charity that their ill-gotten gains—acquired through robbery, in fact, but under the guise of a pretended government contending, they say, for liberty against oppression—are deposited in our banks or are invested in our trade. And still, while they manifest this absolute confidence by their individual acts, they publicly circulate the most malicious statements their active imaginations can invent regarding United States intention and the horrors of war which our troops indulge in. An active society in Hongkong, composed of their people and certain Europeans retained under high pay, and in which American membership is believed to exist, which feeds and fattens upon the corruption it is able to produce, fills the islands and the world with its invented published statements of abuse. While they fill the newspaper press with their false statements of atrocities committed by our troops, their chief, Aguinaldo, writes:

We will never accept a treaty of peace dishonorable to the Filipino arms, and consequently disastrous to the future of the country, which is what our enemies desire. For this reason I advise all those who feel that they have not strength to make this sacrifice, and whose services are not indispensable to our government, to return to the capital or to the towns occupied by the enemy, reserving themselves in order to strengthen the organization of the government when independence is gained. They can then take the places of those who need rest after the fatigues of the struggle. I am not displeased that some of the Filipinos have accepted positions from Americans. On the contrary, I am glad of it, for in that manner they can better appreciate the true American character. I am still more glad because of the fact that our enemies, having had recourse to Filipinos for the discharge of the duties of high offices in the public administration, will demonstrate that they acknowledge the capacity of the people to govern themselves.

While the Tagalo newspapers publish to the portion of their people still dominated by the insurgents stories of insurgent prowess, and sum up American losses in battle to date at an even 26,000, Aguinaldo publishes his proclamations, exhorting the people to hold out until December, when the American Congress will surely grant them independence under his leadership, against which all good Filipinos, I am certain, would most assuredly protest. On this line one of the principal members of the Hongkong junta writes:

Do you think that the country should deliver itself completely to the promises made by those who call themselves representatives of that great Republic and great people when we well know by the Constitution of the country that they can not be trusted, because they are not authorized for that purpose and can not be except by the approval of Congress? If this be so, is it not true that it is better to wait for Congress first to determine the governmental régime to be established in our beloved country? On the other hand, it is certain that if that struggle is not kept up the parties will unite and we shall hereafter be treated as the negroes are. \* \* \* And why not, then, my dear friend, support that other party, in order that we gain recognition of our rights, with all the necessary guaranties? Otis and company offer but little security that the autonomy or any other system of government which they establish there will be respected. I am informed that there is not a countryman of ours who does not want peace, but they want it on a basis of guaranties in favor of the people.

Even more; so just is our cause that, gaining sympathy, several European powers have made official offers to provide us with everything we require; but as we consider the war which is being sustained is not against America, because we know that 80 per cent of that great people, which on one occasion struggled for the independence which it now enjoys, is in favor of us, but only against McKinley and his party. Other offers made have not been accepted because we have complete assurance that very soon the imperialist party will come to reason and will concede us the guaranties, etc.

So deep an impression have statements of this character made upon able Filipinos who favor United States control and are conscientiously laboring for its complete establishment that I am importuned by them for information as to the trend of United States political affairs and to state if, in my opinion, they are finally to be surrendered to the mercies of their insurgent countrymen.

The islands are flooded with the abusive literature which has birth in Asiatic ports and is published in Spanish and native languages. What was ostensibly a private letter prepared by a European who has never visited these islands, and which was written in Hongkong, is circulated publicly by the Hongkong junta. Extracts therefrom read as follows:

You and the Filipinos who aspire to peace in the form of autonomy believe the hollow words of the Yankees. You write me: "We have no people to govern ourselves. That is the truth. We shall have them after ten years of American sovereignty."

I reply: We shall not have them in ten, twenty, or a hundred years, because the Yankees will never acknowledge the aptitude of an inferior race to govern the country, and, as you know, under the heading of inferior races they class the Spaniards themselves. Do not dream that when American sovereignty is implanted in the country the American officeholders will give up. Never! This is what will happen: During the first few years they will admit a few Filipinos, either because it is difficult for the Yankees to learn at once the administration of the country, so different from America, or in order to disarm for the moment the suspicion of the Americanist Filipinos. After those five or ten years of apprenticeship they will tear off the mask with which they now dissemble their true object of governing the country exclusively by Anglo-Saxons, as they have done with all countries which belonged prior to Yankee domination, to the Spanish Empire. With that proud scorn which characterizes the Yankee in his political and social contact with colored people, they will close their ears to the complaints and aspirations of the sons of the country, and will laugh at those who helped to bring the country under the American yoke.

Yes, my friend, the Americans have no intention of leaving the Philippines, and once that sovereignty is recognized and the brave Filipino army disbanded they will send to the Philippines swarms of genuine officeholders, who will treat the noble sons of the country as they do the "colored gentlemen" in the United States. To the Yankees you are only a "nigger," who in the present circumstances, full of difficulties for the Yankees, is the object of a more or less perfectly simulated respect. But alas for you when the day arrives when the Yankees will no longer need your help and cooperation!

Do not look for the Americans to do anything to assist the national progress of the country. In America the Government takes no part in the education of the nation. All education is the work of private individuals or associations. The Yankees have absolutely no interest whatever in raising to a higher educational level the native masses, both because the Government will not interest itself in such an enterprise, and because such a policy would be contrary to the object of the American imperialist, which is to convert the archipelago into a field for exploitation by trusts and officeholders.

If the Filipinos accept American sovereignty with a halt and blind autonomy, if they permit the United States to seize the offices of the country and make these sacrifices in the hope that when they have fit men to govern the country the Americans will turn the government over to the native element, reducing the American personnel to the governor-general, then the Filipinos are going to sacrifice their liberty, their honor, their race, and, in short, everything which is included within the meaning of nationality, upon the altar of illusions. For if the Americans are the sovereigns, it depends upon them to say whether the Filipinos have sufficient men for the government of the country. They never will say it, because interests of purse, of race, and, in short, all the vital interests of Anglo-Saxonism will prevent it—American interests which prevent a real and sincere autonomy, which are the same which caused the Spanish friars to oppose the assimilation of the country and the secularization of the curacies."

The disaffected element of the population, or the emissaries of Aguinaldo's government, contend that the United States has given nothing substantial as yet in response to its administrative promises. The archbishop, they declare, still holds political sway, the friars have not been driven out nor killed, the Spaniards have been continued in office, the chief representative of United States authority here (who has never witnessed Roman Catholic ceremonies a dozen times in his life) is an ardent Romanist and draws inspirations from the droppings of the Roman Catholic sanctuary as set up in the Philippines. Remove these abominations, they say, and we will willingly accept United States protection and supremacy. Secretly these same critics and complainants assert that these friars and Spaniards render valuable aid to the insurgent cause in many ways, and the number of Spaniards now officering their troops is strong proof that their assertions are correct.

The insurgent armed forces are not to be feared except as they oppress their own people and delay returns to conditions of peace. The length of time they have been in the field and their conduct has given the practical lesson to the inhabitants that they can not expect security under Tagalo rule. The lesson is deeply impressed and required time to produce conviction. Had the rebellion been crushed immediately upon its open defiant demonstrations of last February it would soon have appeared in new form, for the mass of the people were intoxicated with the cry for independence and self-government which the reflecting classes now realize is impossible until true political education is more generally diffused. The political conditions which will follow armed resistance demand the most serious attention of our eminent statesmen, and Congressional action can not be too much accelerated. Now all executive functions of a civil character in these islands centers in a military command which is called upon to administer the law governing the various departmental offices of the executive branch of the United States Government and to set aside

Spanish decrees when such are in conflict therewith. The multitude of obtrusive and perplexing questions which arise for determination can only be appreciated by those who have confronted such a situation. I have been assisted in all duties of administration by a conscientious, hard-working, and able staff, who, with the officers ably exercising the command of troops, have given me their loyal support. I herewith transmit their several annual reports, which furnish valuable details on particular subjects which are only alluded to in a very general manner in the foregoing pages.

Very respectfully, your obedient servant,

E. S. OTIS,  
*Major-General, U. S. A., Commanding Department  
of the Pacific and Eighth Army Corps, and  
Military Governor in the Philippines.*





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